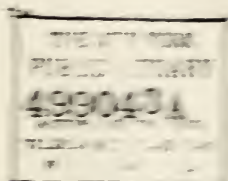


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PREFACE

THIS book undertakes to describe a transaction—the sale by the French Government to the United States of the western half of the Mississippi Valley, known at the time as Louisiana. At the fortunes of this vast region, known now as the Louisiana Purchase, before and since that sale this book does nothing more than glance ; in a cursory way it gives only so much as is needed to make plain the character and importance of the incident.

Now that we are about to celebrate, at St. Louis, one hundred years of possession on a scale commensurate with the grandeur of the acquisition, a book devoted closely to the crisis, written for the people, viewing affairs through the long perspective of a most eventful century, and recounting the European as well as the American phases of the story, seems certainly to be in place.

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THE HISTORY OF THE LOUISIANA PURCHASE

BY

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A SHORT HISTORY OF THE MISSISSIPPI VALLEY, ETC.

WITH ILLUSTRATIONS AND MAP



NEW YORK
D. APPLETON AND COMPANY

1902

239



NAPOLEON BONAPARTE

From a painting from life by David, now in the Public Library of
Minneapolis, Minn.

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While holding his predecessors in great respect, and acknowledging a great obligation to them, as the foot-notes will testify, the present writer ventures upon a new presentation. He believes that the transaction was a piece of Napoleonic statesmanship, Jefferson and his negotiators playing only a secondary part. Excepting by Mr. Henry Adams (*History of the United States during the Administration of Thomas Jefferson*), too little attention perhaps has been paid heretofore in America to the French side of the matter. Mr. Adams's account, intended for scholarly readers, enlarges upon diplomatic details, and abbreviates certain picturesque points; and is besides so embedded with much other history, in a work of nine volumes, as to be not easily accessible.

The present writer has approached his topic from the French side, making large use of French authorities, and giving at length some important secret history not heretofore fully set forth in English. Having in mind as readers, youths on the verge of maturity, and men and women too busy for deep study of the matter, he has felt that state-paper

Preface

minutiae might be spared or relegated to an appendix, while certain vividly dramatic passages were made much of. In this book, then, while the conception of the event is somewhat unusual, it has been sought to put in strong light the brilliant personalities—the hopes, passions, disappointments—the thrilling incidents, that belong to the story.

The writer wishes to express his thanks to Mr. R. G. Thwaites, the honored secretary of the Wisconsin Historical Society, for affording access to the *Napoleon Correspondance*, documents never translated and rare in America; also to Mr. James L. Whitney, of the Boston Public Library, for permission to use the *Mémoires* of Lucien Bonaparte, a work still more rare. The Public Library of Minneapolis possesses a complete set of the *Moniteur*, the French official journal, from its establishment in 1789 to the present day. The writer has had this daily record of what happened during the Revolution and the First Empire always at hand, and has been able to glean from the pages some interesting material.

In conclusion, obligation must be ac-

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known to Mr. T. B. Walker, president of the Board of Directors of the Minneapolis Public Library, for permission to reproduce for this work the Louisiana Purchase Napoleon. This magnificent picture, now in the Public Library at Minneapolis, was painted from life by David soon after the transference of Louisiana to the United States. Napoleon presented it to Marshal Davoust, who retained it through his life at his country-seat, and from whose descendants it was purchased by Mr. Walker. It is probably the most impressive Napoleonic memorial in the country, and is appropriately located in a city on the west bank of the Mississippi, in a region the destinies of which the mighty Corsican so powerfully influenced.

JAMES K. HOSMER.

MINNEAPOLIS PUBLIC LIBRARY,
March 24, 1902.

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THE HISTORY OF THE LOUISIANA PURCHASE

CHAPTER I

HOW LOUISIANA CAME TO BE

WHEN Thiers, in his History of the Consulate and Empire, comes to speak of the sale of Louisiana by Bonaparte to the United States, he says, "The United States are indebted for their birth and for their greatness to the long struggle between France and England." *

American pride dislikes to admit that our independence was not due to our own efforts; that the well-trained leaders and 7,000 good French troops who did such service at Yorktown, while the Count de Grasse, at the mouth of the Chesapeake, blocked the path for the reenforcements which Cornwallis was expecting, were a decisive factor in our war.

* Vol. II, p. 409. Translation.

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That point we are not concerned to argue; but as regards the second point of M. Thiers—that the vast dimensions of our nation are



Leconte de la Roche

due to an influence from Europe, America itself having had less to do with the matter than has been claimed—it is the purpose of this book to show that the facts of history bear the French writer out. That the United States in 1803 became immensely extended in territory; that at the same time our interpre-

tation of the Constitution became enlarged, so that henceforth "the spirit and not the letter was appealed to," making further development possible—a change in the American point of view which has affected us profoundly*—all this came about because France and England at this moment were in a crisis of their immemorial quarrel, and Na-

* Sloan, Life of Napoleon, vol. iv, pp. 247, 248.

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oleon saw a way out of his difficulty by helping the United States to broad dominion.

Taking up the story of Louisiana, then, from the French side, as it is certainly proper to do since it came to us through French statesmanship with little agency of our own, the remark of M. Leroy-Beaulieu will open the consideration well: * "Colonization is for France a question of life or death. France will either become a great African power, or in a century or two it will be nothing but a secondary European power. It will count in the world about as Greece or Roumania count in Europe."

To-day, thinks this leader, it is vital to the position of France that she should be a colonizing power, Africa being the sphere at the present moment open. Four hundred years ago the same thought seems to have ruled, America being in that day the field; for France became active among the earliest, after the discoveries of Columbus and the

* "La colonisation est pour la France une question de vie ou de mort: ou la France deviendra une grande puissance africaine, ou elle ne sera dans un siècle ou deux qu'une puissance européenne secondaire: comptera dans le monde à peu près comme la Grèce ou la Roumanie comptent en Europe."

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Portuguese, in fixing her grasp upon the new lands. Between 1504 and 1603 eighteen separate expeditions were made to America.* In the latter year it was that Samuel Champlain set out to found Canada. Mr. Walter Frewen Lord points out that the driving



Champlain-

force in French colonization, then as always, has been the spirit of adventure. Until the present day a series of brilliant adventurers can be traced, vividly imaginative, intrepid, indefatigable, often of great capacity: types of the class are Cham-

plain, and in our time Marchand of Fashoda. By such men everything possible to individual prowess has been done repeatedly. The reason why results have been meager and so often not permanent, says the English critic, is that the explorers have not been sustained. Kings as a general rule have been quite in-

* Walter Frewen Lord, *Lost Empires of the Modern World*.

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different; there has been no national or popular movement to back up the pathfinders. It must also be said that the pathfinders, when cooperation was important, have shown too often a disposition to quarrel, rather than to combine forces. Call it vanity, or call it by the higher name ambition—the craving to possess the admiration of the world—this quality seems to burn in the heart of a Frenchman with especial intensity; so that often through brooking no rival near him, the hero lets his enterprise go to utter wreck, a fate which a better harmony in the actors would have prevented.

To glance for a moment at a region far away from Louisiana, the story of the French in the East Indies is very illustrative. Why is not India to-day the possession of France rather than England? The French were there before the English; Europe has never sent out to a foreign strand abler men than those who stood for France. They failed because the Government was supine, because there was no backing from the people; more than all, perhaps, because they fell out among themselves. They directed against one an-

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other an acute and aggressive energy, which if applied to the obstacles they had to meet would have consumed them, as the vinegar of Hannibal ate a pathway through the Alps. Their force and sharpness went out in an acrid spite. In the first half of the eighteenth century in India all promised well for France. Dupleix among the inharmonious native states, with marvelous courage and address, found ways to dominate and reduce to order. He had little help except from his own genius; his appeals made little impression on the court; the nation was indifferent. Worst of all, when an important helper came to stand at his side, in La Bourdonnais, bringing him a fleet which at once won triumphs, Dupleix, instead of welcoming him, treated him as an intruder who might in some way diminish his own credit, pursuing him until La Bourdonnais lay in the Bastille, though few men of that time deserved better of their country. In succeeding years Lally-Tollendal and Bussy paralleled the heroism and address of their predecessors; but again all went to wreck, through neglect from outside and spiteful contention within. Last came Suffren, a sailor

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of the highest genius, who won for a time an advantage which France has usually lacked—the command of the sea. But all came to naught. The adventurers were left to their own resources; they fell a prey to their own foibles when success was right at hand. The slower race, more persistent, pulling together to better purpose, if less adroit and brilliant, succeeded; and to-day the Emperor of India is the sovereign of England.

What happened in America was of a piece with the story of the French in the East Indies. The adventurous spirits, impressed, as they are still impressed, with the idea that their country's greatness depended on colonial expansion, were early in the field. Jacques Cartier penetrated to the site of Montreal in 1534, and in 1603 Samuel Champlain was at Quebec. Champlain perhaps is the noblest



Jacques Cartier

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type of the French colonizer that history affords, possessed as he was of all the conspicuous merits of the type, with few of the defects. The prelude to his Canadian experience was picturesque to a degree noteworthy even in that age. After proving himself a good soldier, he sailed, at thirty-two, to Hispaniola and the Spanish Main, keeping always an intelligent diary, in which occurs the, for that day, splendidly imaginative suggestion of an Isthmian canal. After penetrating as far as Mexico he returned to France, going, as the seventeenth century opened, to break the path for his race in Canada. There is a story that the first settlers of Massachusetts, setting out from Boston to build a road westward, stopped at Watertown, scarcely ten miles distant, reporting to the magistrates that a road running farther in that direction would never be required. Massachusetts Bay bounded their horizon. The want of imagination in the plodding English is well illustrated in the tradition. It marked the leaders as well as the humbler men, and the lack was as noteworthy in the generations that followed as in the first comers. It is

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indeed in contrast with the wide visions of the pioneers of New France. As Champlain could foresee some day an Isthmian canal, so at Quebec he recognized himself as the forerunner of something mighty, and presently penetrated to the very heart of the wilderness, confronting the Iroquois in regions which he meant to redeem. With the brilliant qualities of the best of his class, Champlain seems to have been without the shortcomings; his association with his co-workers seems to have been always sweet and genial, with no touch of the acrid jealousy which corrodes so many a reputation otherwise shining. But he had no support either from ministers or nation. He worked and schemed indefatigably for thirty-two years; but with such small result on account of the indifference and unwisdom of the world, that at his death there was little to show at Quebec but the garrison of two hundred soldiers, subsisting on supplies brought from France. In a teeming land, the food went ungathered for want of hands to get it. In his disappointment and failure his patience and good humor are pathetic. If sustained, as has been said, he would have

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colonized from Canada to Florida, or in the other direction to the sources of the Mississippi. He died bound to his rock, and not until a generation had passed did a man appear to take up his work.

In 1666 Robert Cavelier, Sieur de La Salle, came to New France, a scion of a noble house in Ronen, in whom strength and weak-



de la salle

ness were picturesquely blended. He was a truer type of a French adventurer than Champlain, for in him the foibles of the class were plain, as they were not in the founder of Quebec. La Salle was to find something far greater, and needed for the task the power of

beholding enkindling visions, an indomitable courage, and a resourceful intelligence. He failed of thorough success largely because, on account of vanity and unamiability, he roused the enmity of his co-workers instead of winning their attachment. His old seigniory on

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the St. Lawrence, La Chine, still commemorates in its name the soaring enthusiasm which led him into the belief that the broad river above the chute was the pathway to China. The dream of reaching China he was forced to abandon, though his foot pressed far on the road which, two hundred years after his time, came to be held the shortest way thither; but he almost made actual a vision scarcely less bold. Discovering the Ohio, traversing the Great Lakes, first of white men descending the Mississippi to its mouth, it was he who in 1682 gave the name Louisiana to the vast region lying east and west of the great river—the Mississippi Valley, in fact—and took possession of it in the name of his sovereign. He was able to map out fairly the great domain into which he had penetrated, and conceived the thought long cherished by his successors, of running a chain of posts from the St. Lawrence strongholds to the cities he meant to build in the south near the Gulf. If things had been a little different much might have come to pass in his time. Louis XIV could appreciate a brave man and gave him a fleet and resources. If only the

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Huguenots, driven out by the Revocation of the Edict of Nantes just at this time, could have come to New France as the exiled Puritans fifty years before had come to New England! But even the wilderness had no hospitality for them; no Protestant could set foot in New France. There was no popular movement thither of any kind. Misfortune overtook La Salle. His fleet was wrecked; among his followers he seems to have had no faithful friend but Tonty, and he was far to the north among the Illinois. Mutiny that



had followed him from the first now took the upper hand in the wretched company that remained to him, and his life went out in a Texas waste under the weapons of his own men.

D'Iberville

But the line of great colonizers was by no means extinct. The mantle of La Salle fell upon Pierre Le Moyne d'Iberville, who perhaps was not inferior to him in force or fire. Iberville, a young Canadian seigneur, won his

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spurs by driving the English out of Hudson Bay, establishing a control in the north that endured for years. He was as efficient in tropic seas, on the Spanish Main, as among the icebergs. But his chief desert was the establishment upon the Gulf of Mexico of a secure French colony, which made it possible for his young brother Bienville, a few years later, in 1717, to lay the foundation of New Orleans.



Bienville

As the eighteenth century proceeds the colonizing of Louisiana goes on in a course characteristically French. The nation takes little interest, few voluntary settlers coming to the new country; when immigrants appear, it is to hunt gold or fur-bearing beasts among the savages, in desultory wandering, rather than to till the soil and establish homes. The Government is quite indifferent. In the evil days of the Regency, and of Louis XV, the colony is

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first given over to the monopolist Crozat; then to John Law, to be exploited in the Mississippi Bubble. Of the welfare of the



Law

unfortunate plantation there is no heed; but fortunes may be made out of it for courtly spendthrifts, or the bankrupt Government gain relief at the expense of the far-away dependency. The Mississippi Bubble, so ruinous to those caught by its flattering iridescence,

did, through some good providence, bring benefit to Louisiana. It was necessary to Law's schemes that the land should be peopled; and though the methods for procuring emigrants were misrepresentation and even atrocious kidnaping, some thousands were deported of a fairly respectable character. These, finding return hopeless, at last, though heart-broken, made the best of the situation, and a substantial town became established

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upon the river-bank. The preponderance of men in the community proving to be an element of insecurity, a grotesque remedy was sought: the shipping from France of cargoes of marriageable girls, *filles à la cassette*, so called from the little trunks in which each prospective bride carried the trousseau provided for her by the Government. The girls were speedily mated on arriving at the levee, and many a proper and happy union was the result. In this direct and business-like match-making the Ursuline nuns played an important part, recruiting the companies in France, chaperoning them sometimes on the voyage, and sheltering them when they reached Louisiana—by no means the smallest of the services rendered by the excellent sisterhood to the infant plantation.

But while the record of the settlement is so largely one of struggle and suffering, brilliant adventurers were active carrying the flag of France farther and farther into the wilderness. With little support or countenance, except from their own intrepid spirits, they strove heroically to roll back the mystery from the face of the great continent. Du

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Tisé, Bourgmont, and the brothers Mallet penetrated into the southwest; at last a final gleam of the splendid fire that had burned in Champlain, La Salle, and Iberville shot up in the far North. When that died down, the glory of French pioneering, as far as North America is concerned, became forever extinguished. La Vérendrye, son of an officer of the regiment Carignan-Salières, a body of regular troops that did good service in Canada at an early day, going to France, became an energetic soldier, and at Malplaquet, receiving six saber-cuts from some trooper of Marlborough, was left on the field for dead. But he survived to return to America, where deep in what is now Manitoba, to the north and west of Lake Superior, he established a chain of posts and brought up two sons as indomitable as himself. They lived on the northern edge of that vast Louisiana which La Salle, standing near the Gulf of Mexico, had claimed as the possession of the great king at Versailles. The younger La Vérendrye, striking west beyond the Mississippi, across the Missouri, and far over the plains, beheld, in 1742, first of white men, the Rocky Mountains. The

How Louisiana Came to Be

achievement of the La Vérendryes, father and sons, was of a piece with the best work of the great path-breakers of their stock, both in the Orient and the Occident. They died at last, worn out, utterly poor and forgotten; and that, too, was of a piece with the treatment which France has too often accorded to her best and bravest sons.

Just before the middle of the eighteenth century an access of energy came to the French administration, which prepared as it had never before done to free itself from the threatening neighborhood of the Thirteen English Colonies; or, if their destruction were impossible, at least to reduce them to impotence. Baffled in Hudson Bay, and menaced in Louisiana by the establishment of the new colony Georgia, under the leadership of Oglethorpe the philanthropist, who at the same time was a capable soldier, the French resolved to fight it out with the English, especially in the middle regions, below the St. Lawrence and on the approaches to the Ohio. The Thirteen Colonies were indeed in danger; for though much more populous than New France, they were inharmonious among them-

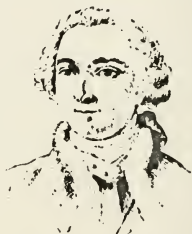
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selves, and each provincial government was weak and short-sighted. By extraordinary luck rather than through any soldiership New England captured Louisburg in 1745, but many gloomy and anxious years followed before another success was gained. The following year the English colonists felt with sinking hearts that but for the interposition of pestilence and tempests the fleet of d'Anville would have laid in ashes the coast towns, by way of reprisal for what had been done at Cape Breton. A few years later, about Presque Isle, on Lake Erie, there was a buzz of energy, soldiers, voyageurs, and Indians, working with canoes and bateaux to force their way to the Alleghany. Presently the French hold upon the Ohio Valley was made good by the building of Fort Duquesne at that point of especial vantage, the junction of the Alleghany and Monongahela. Braddock's enterprise against it, in 1754, set the mark for the extreme of failure.

The best arm that ever struck for France in the New World was now bared for smiting. Montcalm was in the field, and by capturing Oswego, in 1756, Niagara at the west and

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Frontenac at the north already being French, he made Ontario a French lake. Next year he captured Fort William Henry, at the southern end of Lake George. With the command of the Ohio and Lake Ontario both secured, the French were now pushing from the rear at the very heart of New England, and with the victory of Ticonderoga the prospect became for the English hopeless indeed.



But in 1758 came about a conjunction "almost miraculous";* and only by such a conjunction could the English colonies have been held. A great statesman and a great soldier stood forth together—Pitt and Wolfe—and, working hand in hand, saved the day in America. Louisburg, which had been restored to France by treaty, fell again, in 1758, to Wolfe; Bradstreet seized Fort Frontenac; Forbes captured Fort Duquesne. In 1759 came the *coup de grace* of the Plains of Abraham, and for

Montcalm.

* W. F. Lord.

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France all was over. In November, 1762, Louis XV ceded New Orleans and the country west of the Mississippi to Spain. With the surrender of Fort Chartres, on the Mississippi, by St. Ange, in 1765, to Major Grant and his detachment of the Black Watch, not a rod of ground was left to France on the whole continent of America. How nearly she succeeded, and yet almost at once she was utterly dispossessed! At the same moment the empire founded by Dupleix and Bussy in the Orient crumbled to pieces. Failure in both hemispheres was due to the same causes—the brilliant, adventurous leaders were sustained by neither king nor nation; among themselves they were too often spiteful rivals, not friends. The English were dull and slow, but they were tenacious; after a fashion they pulled together, and they won.

CHAPTER II

LOUISIANA UNDER SPAIN

WHEN Canada was lost to France the Ohio Valley was also lost, and the region, too, south of the Ohio and east of the Mississippi River. There remained to France in America only New Orleans and the unexplored area west of the Mississippi, to which now the name Louisiana became restricted. Sore and discouraged through her misfortunes, she abandoned for a time dreams of foreign empire, feeling that her interests would be best served by fostering development at home.* To win the good-will of Spain, whom, in her weakness, she desired as an ally, Louis XV signed a treaty by which Louisiana was ceded to that power—a treaty regretted by the nation and long kept secret. Thus France stripped herself of her American

* Barbé-Marbois, *History of Louisiana*.

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possessions. Naturally, desire for revenge upon England constantly rankled—a craving that was fully gratified twenty years later, when, through her well-timed and energetic help, the Thirteen Colonies wrested themselves free, and for the moment Britain appeared to undergo a humiliation deeper even than that which her rival had suffered.

D'Abadie, the French governor at New Orleans, at last broke the news of the cession to the people. The hearts of the creoles were filled with consternation that their country should thus withdraw itself. Their fate seemed almost worse than that of the Acadians, whom the English had driven out; many of the Acadians, indeed, who had sought a refuge in Louisiana, now for a second time underwent expatriation. The Spaniards were slow in taking hold, leaving the French administration undisturbed for more than five years. Not until 1768, while the colonists were still begging not to be alienated, did the Spanish governor appear. Gayarré, the creole historian of Louisiana, gives a pleasanter picture of the Spanish governors and their

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administration than one might expect. Americans are inclined to do but scant justice to the great and unfortunate race with which so often we have fallen into difficulties, and it ought to be wholesome for us to dwell for a moment on the line of figures, for the most part respectable, who administered Louisiana for nearly forty years. Antonio d'Ulloa, the first, was a man of the highest distinction in the world of science and letters. As a bright boy of nineteen, he was set to measure, in company with French savants, the meridian at the equator, the attempt being made in South America. He traveled widely, served honorably on land and sea, and underwent many vicissitudes. He lived for a time as a prisoner in England, where his literary and scientific ability won him much attention. He had recognition elsewhere also, becoming a member of the Academies of Stockholm, Paris, and Berlin. In character he was brave, just, and humane; and in his administration, though thwarted from Madrid, desired to be kind and liberal.

D'Ulloa's successor, an adventurer of Irish blood, O'Reilly, pursued a barbarous policy,

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but those that came later were better. Carondelet, though disliking Americans, whom he had too much reason to regard as filibusters quite without scruples, was intelligent and broad-minded, believing in admitting to the colony foreigners of every creed, provided they were quiet and law-abiding. He was alert and energetic, putting his province into as good a state of defense as his means allowed. Gayoso, who came next, though in religion narrow, showed good sense and vigor in correcting abuses in the cession of land. Most interesting of all, perhaps, was Galvez, a man high-born, scarcely past the period of youth, who swayed the fortunes of Louisiana at the time of our Revolution. He did the United States good service by attacking boldly and effectively the British at the south. Spain had joined France against the island power, and no champion of hers was so brilliant as the young hidalgo for the moment at New Orleans. He operated against Natchez and captured Pensacola, winning back for Spain Florida, which for a time she had lost, and received as reward the viceroyalty of Mexico.

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The burdens upon the creoles were light, the expenses of administration being paid largely from outside. Trade restrictions were rigidly drawn on paper, but the smuggler thrived. The people had no occasion to feel aversion to the foreign rule, and subsided into indifference. In the year 1788, just after the adoption by the United States of the Constitution, Spain, feeling no friendship for the new nation (she had no reason to feel friendship), offered the free navigation of the Mississippi River as a bribe to the western communities. They were not yet organized as States; separatist feeling was rife among them. Perhaps they might break off, if encouraged, from the seaboard States, and from this defection Spain might reap advantage. As Mr. Henry Adams says: "Spain lay alongside the south and west of the United States like a whale—huge, helpless, profitable. Her rule stretched from the Lake of the Woods to the Gulf, including Texas, Mexico, and California, as well as Louisiana; while still farther down, South America even to Patagonia was also under her sway. Far more than half the territory of the United States has been gained

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from this vast inert bulk, rarely in ways not open to criticism."

France had not ceased to be sorry that she had given up Louisiana, whose people remained at heart faithfully French, though so roughly cast off. As the eighteenth century drew on, France tried repeatedly to recover what she began to feel had been too inconsiderately given up. Vergennes, the minister under whom France gave help to our struggle for independence, tried to recover the lost possession during the elation over the crippling of England, when the Thirteen Colonies went free. Another effort was made in 1795, also unsuccessful; as was still a third effort made by Carnot somewhat later. On the latter occasion a splendid price was offered in an Italian kingdom for the Spanish infanta and her husband; but the Spanish king, a most faithful Catholic, refused aggrandizement which was to come through despoiling the States of the Church. At this time a strong party in France, tired of revolutionary convulsions, aimed at peace in Europe and an extension of power abroad. Of this party

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no other than the notable Talleyrand was, or aspired to be, the head; a churchman who had risen to be Bishop of Autun, but who had become unfrocked body and soul (his frock had served no end but to cover a multitude of sins), and who stands in French history as the especial type of unscrupulous cunning. He appears to have grown into a feeling of shame that he had ever held revolutionary ideas, and as the century approached its end, favored a restoration in France of the spirit of the old *régime*. He said of the United States, which he had visited in 1794, that the nation was devoured by pride and ambition, determined to dominate America, and to have influence in Europe; that she was really bound to England, and that her path must by all means be blocked. Talleyrand's practical scheme was for France to help Spain, receiving in return Louisiana and Florida; but just here, from being a leader he was dwarfed into a mere instrument by the sudden stepping upon the scene of an incomparable figure—the great protagonist in the drama with which we are at present occupied.

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In the Public Library of Minneapolis hangs an heroic full-length portrait of Napoleon, an original by David. He stands in his imperial robes, the mantle besprent with the golden bees, the front full of the power and beauty which we may believe it possessed at the moment when he rose to the height of dominion. His head is not yet surmounted by the imperial crown; but with one hand he reaches out toward the globe the symbol of empire, which he is just upon the point of grasping. To the right and left are Josephine and Marie Louise, the wife whom he repudiated and the wife who took her place, originals by Lefebvre, also of life size. It is a magnificent presentment of this most magnetic hero of the century, perhaps of all the centuries, just as he mounts to the pinnacle of his greatness. The portrait when painted was given by Napoleon's direction to Marshal Davoust, in whose family it was handed down; until, falling upon evil days, they parted with it to an American, who set it up, as has been described, on the right bank of the Mississippi.

Many a visitor who has stood before the

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pictures has expressed the feeling: "Superb, but how incongruous! These portraits belong at Versailles. What appropriateness is there in displaying them here in free America?"

A little thought, however, will suffice to convince one that this beam of the glory of the First Empire could fall nowhere else more appropriately than here. The spot thus signalized belonged to France when Napoleon was her master. As the most remote point in Louisiana, which at the same time was well ascertained, the *Sault de St. Antoine de Padoue* must have been often in his thoughts. It was in connection with the alienation of Louisiana from France that the imperial eagle first showed a disposition to soar untrammelled. In this matter the First Consul for the first time declared himself independent of the Chambers, of the old traditions, of his former advisers, and took the step which carried him to absolutism. In the portrait he is not yet quite emperor, but extends his hand toward the imperial symbol which is just within his grasp. So in the autocratic sale of Louisiana he reaches out;

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as it were, for the scepter and the purple. In that act he for the first time casts constitutional limitations aside and steps out as all powerful in the state. The portrait is an impressive souvenir of a phase in the history of the Mississippi Valley which is now long past — impressive and most appropriately placed.

We may admit it regretfully, but somehow or other the personality in modern history beyond all others picturesque and magnetic is that of Napoleon Bonaparte; and as time passes, the spell by which he binds mankind grows stronger rather than weaker. Few indeed are those who esteem him good, or even great in the highest sense, yet scarcely a human being can be named contemplation of whom excites such awe in the general mind, or who is referred to in terms so superlative. M. Frédéric Masson, a living writer of repute, holds Napoleon to have been not only the greatest of Frenchmen, "but that one among men who was nearest to what has been called God," and he undertakes a study of the Corsican's career and character on a scale befitting such an estimate. This seems an

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outburst in its excitement grotesque and blasphemous: but an authority as keen and cool in judgment as Lord Rosebery may be cited, whose portrayal in his *Napoleon, the Last Phase*, the most recent book on the topic, presents a character unique and ultra-human in a way most marked. What Napoleon Bonaparte did in Europe we have not failed to recognize. Have we made it real to ourselves that scarcely any other human being has affected America so momentarily?

Early in his career the imagination of Napoleon became kindled with the idea of building up for France a great colonial empire. His interest in the Egyptian campaign was in the thought that success there might extend the domain of France perhaps even as far as India. The failure in Egypt was utter, but his buoyant spirit was not discouraged. No sooner had the *coup d'état* of the "eighteenth *Brumaire*," November 9, 1799, been accomplished, through which, setting aside the feeble Directory, he became First Consul, confirming his power the next year by the victory of Marengo, than he pushed schemes vigorously east and west for

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extending French dominion. On the east, Masséna, after a plan concerted with the Russian Emperor Paul, was to advance by way of Astrakhan with 70,000 men, half French and half Russians, upon India. The Russian contingent, indeed, crossed the Volga upon the ice on the way thither; but the assassination of Paul, March 1, 1801, put a stop to the attempt.* The western scheme Napoleon hoped to carry out with the help of Spain.

Far the larger part of the territory of the United States has been won from Spain. The last despoilment has come in our own time, a taking of such dimensions that Spain is now almost completely shorn, her flag scarcely floating beyond the Iberian peninsula. Perhaps Spain deserves all her humiliations; but the story of them is after all a pathetic one, and if any kindlier estimate of this ancient enemy, who has suffered so much from us, than the usual one is possible, the fair-minded will be glad to have it set forth. As regards the Spanish governors of Louisiana the line of personages, as we have seen,

* W. M. Sloane, *American Historical Review*, vol. iv, p. 441.

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has attractive points; so, too, in the old Spain of a century ago there were men deserving from us a more respectful regard than has been meted out.* Carlos IV, then king, like his father Carlos III, who died in 1788, was a figure not uninteresting. A diplomatist at his court paints him as a fairly worthy character, abstemious, and above reproach as a husband. He was devotedly pious after the Catholic fashion, a man morally correct, and of innocent tastes. He was a good practical mechanic, his liking being especially for the work of the armorer; and we have an attractive picture of the king in a workman's dress, his sleeves rolled up to his shoulders, laboring daily at the forge with his blacksmiths. He was a great hunter—one of the best shots in Europe. He lived in good-humored companionship with his courtiers, hunters, and workmen, slapping them on the back with a good-fellowship sometimes a little too robust, but all well meant. In some ways he showed good sense; but it was not often shown in public affairs,

* Henry Adams, *History of the United States during the Administration of Thomas Jefferson*, vol. I, ch. xiii, etc.

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which he for the most part strangely neglected, leaving all to his ministers. This fairly worthy monarch—chaste, temperate, simple, often sensible—was mated with a queen of character notoriously bad, whose lapses (it was indeed a curious society) he winked at, allowing her and her favorites to direct, more than he himself did, the concerns of his great empire in the two hemispheres.

In the court there was a strange mixture of good and bad; and among the favorites of the dissolute queen was a character, deeply vicious, we must believe, from all that report says of him, and yet who deserves some gratitude from America. Don Manuel Godoy, a young noble of the king's guard, seems to have been exceptionally corrupt, but he possessed conspicuous ability. He overcame in diplomacy even such opponents as Talleyrand and William Pitt, and in his dealings with the United States was humane and enlightened. Godoy—who, from a friendly understanding once brought about with a foreign country, gained the curious title "Prince of Peace," by which he is more

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commonly known—was Prime Minister of Spain from 1792 to 1798, and negotiated a treaty with the United States in 1795 which was much the most advantageous to us up to that time arranged with any foreign power. He may have feared an English attack. He conceded, at any rate, all America asked, settled in a harmonious way the boundary between Natchez and New Orleans, and gave in a liberal spirit to the traders down the Mississippi "the right of deposit," the privilege of landing from the flatboats and re-shipping upon ocean-going craft the merchandise that sought a market in the world. This privilege was granted for three years, with hope of renewal if all went satisfactorily. The Spanish attitude to the United States was, in fact, most friendly, though little appreciated then or since. Soon after, in the complications, Spain became hopelessly dependent upon France, the king falling into subserviency to Napoleon as his star began to rise. Godoy, favoring a more spirited policy, resigned in despair, showing to the last his friendship toward the United States.

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Within six weeks of Marengo, Bonaparte, full of colonizing zeal, had his agents at Madrid laboring energetically to bring about the retrocession of Louisiana to France, the great province alienated by Louis XV in 1762. A glorious New France was to be built up beyond the sea, and for three years the First Consul pursued the scheme with ardor. Side by side with the desire to aggrandize appears a purpose to restrain the United States, whose hopeful prospects were contemplated in no friendly spirit. In August, 1800, Berthier, the instrument of Bonaparte in so much of his most vigorous effort, became minister at Madrid, and under his hand the form of the treaty grew definite. France was to have Louisiana, and also the two Floridas, while the consideration to Spain was to be a kingdom of at least a million people made up out of French conquests in the north of Italy, over which was to be set the Duke of Parma, husband of the infanta, the daughter of Carlos IV. This treaty negotiated by Berthier, dated October 1, 1800, Mr. Adams pronounces to be one of the most interesting documents in the history of the

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United States, for it is the source of our title to Louisiana; all subsequent arrangements were but modifications of this. Charles IV refused the surrender of the two Floridas, but with that exception all went as France wished, the Spanish king and queen, intent upon a fine settlement for the infanta, being overjoyed at the bargain. The king, however, did not ratify the arrangement as yet.

At first the treaty was kept secret, Talleyrand, the First Consul's Minister of Foreign Affairs, as he had been the Directory's, not hesitating to deny it when pressed by the American envoy, who had got wind of the matter. On December 3, 1800, came Moreau's victory of Hohenlinden, which put France more than ever on the apex. Early in 1801, Lucien Bonaparte, brother of Napoleon and six years younger, succeeded Berthier at Madrid. He was independent in character and intelligent, but, as it appeared, not above corruption. He was very young, and perhaps did not realize how easily a gift may become a bribe. He had helped his brother to seize power on the eighteenth

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Brumaire, using his position as President of the Council of Five Hundred to further the scheme. He had been in youth an ardent Jacobin, and never became subservient to the autocracy which his brother was presently to establish. For the time being, however, he was in harmony with the First Consul, and in his present task was set to face no other than Godoy, who, though no longer Prime Minister, had been found indispensable and was really the power behind the throne. With a frank arrogance which has some justification, Godoy declares in his Memoirs that he had been recalled to power because he was the only man able to cope with Napoleon, who was then trying to occupy Spain with a French army under pretext of a war with Portugal. On March 21, 1801, Lucien negotiated at San Ildefonso, the residence of the Spanish court, a new treaty, which did little more than deepen and emphasize that of the preceding October. In return for the elevation of the Duke of Parma to the sovereignty of Tuscany, the retrocession of Louisiana to France was to be at once carried out. But, as before, the king's signature

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was withheld ; and Godoy baffled Napoleon's other scheme of occupying Spain by making an arrangement with Portugal which Lucien was won over to approve by an extravagant gift. Lucien confessed that he secured twenty fine pictures, and diamonds worth 100,000 crowns. He seems also to have been gorged with other wealth, so that he became the richest member of his family.

That Napoleon was foiled thus by the address of Godoy and the venality of his brother Lucien was not the only embarrassment which he now encountered. The assassination just at this time of the Emperor Paul of Russia set against him that important power, the scheme of Masséna's invasion of India at once coming to naught ; while Nelson's victory at Copenhagen, on April 9th, took from him the Danish fleet on whose aid he had counted. He angrily demanded immediate possession of Louisiana ; but Godoy, as Mr. Adams says, cool and adroit as a picador maneuvering before a maddened bull, held back the province on the plea that the Italian stipulation had not been scrupulously fulfilled. Said Bonaparte a little later to the

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Spanish minister at Paris: "You act toward the French republic as you might act toward San Marino." * If the Prince of Peace could help it, Spain was to be saved humiliation at the hands of France.

* Napoleon Correspondance.

CHAPTER III

FRANCE PREPARES TO TAKE LOUISIANA

As the moment approaches for the resignation by Spain of the province she had held so many years, it will be interesting to give some outlines of the picture presented by McMaster* of the land and the principal town. From the little posts near the mouth of the Missouri, and from Sainte Genevieve and New Madrid farther down-stream, scarcely a hamlet, on the west bank, met the eye of the boatman as he floated down until he arrived at Pointe Coupée. From this point plantations and villages succeeded one another until New Orleans was reached. To the men from the North there was much to wonder at—the great river flowing for hundreds of miles without a tributary, and at length within its levees, pouring on, high above the level of

* History of the People of the United States, vol. iii, pp. 15, etc.

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the fields on either hand ; the bayous full, on a sunny day, of basking alligators ; cypresses, palmettos, live-oaks, their branches hung with moss ; pelicans and buzzards ; houses without cellars, and cemeteries in which there was no grave. The town had been laid out in Bien-ville's time by the Sieur de la Tour. On three sides ran a low rampart, the fourth being open to the stream. From the Gate of France on the north to the Gate of Tchoupitoulas on the south was a mile, and precisely in the middle was the great square, the Place d'Armes. The streets, narrow, crossing at right angles, were named for the princes and nobles of France, but were squalid and without drainage. The creoles went in and out through the gates, liable always to the challenge of sentries. But outside the ramparts, particularly in the Faubourg Sainte Marie, to the south, was a turbulent population of strangers ; here it was mainly that the Americans found quarter as they landed from the "broadhorns" that had brought them from afar. Near here, too, were many seagoing ships, lying sometimes three deep along the levee. The trade had become large at the

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time of the purchase, the exports amounting to \$2,000,000 in value, and the imports to \$2,500,000.

In the bustling business life the levee was the great exchange, piled high with bales and boxes, and the scene of bargaining. There was a theater; and music and dancing had a large place among all classes, from the pure French and Spaniards, down through mulattoes of every gradation of shade to the coal-black negroes, who did the rougher work, often under compulsion of the lash. The colored people were generally slaves. Over all presided the "Cabildo," city council, composed of six hereditary "regidores," two "alcaldes," and the governor. One regidor was "alferez royal," and bore the king's banner; another was "alguazil," mayor; and others were treasurers and collectors. The "alcaldes" had special dignity, being judges, and never appearing in public without their wands of office. Each night an alcalde, with the alguazil and a scrivener, walked the streets to see that the laws were obeyed and that all was well. On the eves of Christmas, Easter, and Pentecost the governor and alcaldes went

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the rounds of the prisons, sometimes setting free culprits confined for petty offenses; but stern often was the justice meted out to the criminal. If he had reviled the Savior or the Blessed Virgin, his property was confiscated and his tongue cut out. If he had vilified the king or queen, half his property was taken and he was flogged. If he had stolen the sacred vessels from a holy place, or robbed a traveler, or committed a murder, or assaulted a woman, he was put to death.

No sooner did a craft draw up to the river-bank than it was visited by a "syndic," who made severe scrutiny of captain, crew, and cargo. Along the highways, too, were officers who interrogated sharply every passer. Tax, restriction, penalty, weighed upon everything, the governor, and the intendant, an officer set to oversee civil functions, being in general responsible for the administration. It was a system stately and ceremonious in a high degree; also cumbrous, clumsy, oppressive—pervaded with a mildew of medieval tradition. A Latin people might tolerate it—indeed sit with a fair degree of comfort under its provisions. It had become inevitable now

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that it should touch the Anglo-Saxon, as the young republic pressed and grew restless against its barriers on every side. Out of the contact there could, of course, come but one result.

In the fall of 1801 came peace with England, and the First Consul was free, as he had not been before, to pursue his great schemes for internal improvement, and also his colonial policy. Louisiana was in his thoughts, but before he could enter upon the American continent there was a matter on the threshold of that continent which must be seen to. Here he stumbled, and that stumbling on the threshold, since it brought the downfall of his wider plans, must receive some notice here. San Domingo, under the old *régime* the most important colony of France, had at this moment practically fallen away from her. Only the western end of the beautiful island was French; but when the Revolution broke out, in 1789, nearly two-thirds of the commercial interests of France centered here. The island had a population of 600,000, five-sixths of whom were negroes of full blood. Of mu-

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lattoes there were 50,000; of white creoles an equal number; and to the latter belonged all political and social advantages. Under the old rule trade restrictions had been rigid, and the creoles welcomed at first the Revolution with its freer policy; but, taking alarm when the mulattoes received recognition, they became in the end ardent loyalists. The spirit of freedom with which the air was filled penetrated still deeper, until in August, 1791, the vast black multitude rose against their masters, involving the island in ruin and death. Their liberty was at last granted, for in 1794 the National Assembly abolished slavery. At this time rose into prominence one of the remarkable figures of history, the most distinguished character of the negro race, Toussaint L'Ouverture.

Toussaint was a thorough black, son of a slave born in Africa, who was the son of a chief; the date of Toussaint's birth is given as 1746. He grew up a slave in the Spanish part of the island. Now, grizzled but vigorous, at the head of 4,000 blacks, he cleared out his old masters in the interest of the freedom-offering French. His new friends

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made him general-of-brigade, and in May, 1797, general-in-chief. One halts before the enthusiasm of Wendell Phillips, in whose impassioned portrayal Toussaint was made to appear almost the first

of heroes; but it is impossible to think of the negro chief without admiration. He

is described as well-meaning and ordinarily gentle, of commanding ability, indefatigable, and possessed of splendid ambitions.

He was sometimes ferocious, but he had ferocity to meet. He was wily, but he had wiles

and treachery to meet, and came to ruin at last through overtrustfulness. The whites he had cherished and protected: through them he found a dungeon and the grave of an exile. As the career of Toussaint affected America, becoming an important factor in deciding for us that Louisiana should come



Toussaint Louverture

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to the United States, it is in place to give him some study.

When in 1798 France and the United States were on the brink of war, Toussaint was practically dictator in his island. Not heeding the nominal ties that bound him to France, he sought friendship with the United States, committing himself to the most amicable relations. He had, no doubt, a crown in his thoughts, which, with our help, he might hope to gain. But his passion was for freedom for himself and his fellow-blacks; and he had the gravest reasons for distrusting the attitude of France in this regard. He beat down all opposition, casting into prison the French agent. He made himself absolute master of the whole island, his power backed up by 20,000 disciplined troops; and now as the First Consul strode upon the scene the rebel negro confronted him defiantly from the ruins and ashes in which the ancient French colony had disappeared.

October 1, 1801,* Bonaparte orders Berthier to announce to General Le Clerc his appointment to command the great expedi-

* Napoleon Correspondance.

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tion to San Domingo, and we find also Augereau and St. Cyr, officers of distinction, concerned in pressing the embarkation. Le Clerc was a soldier of much skill and experience, husband of Pauline Bonaparte, and, as the letters show, much cherished by his great brother-in-law. Le Clerc was to be powerfully supported, for the First Consul had no thought of submitting to the loss of the fine province. Almost at the same time, November 18, 1801, he wrote to Toussaint in terms most friendly and flattering: "What do you desire? the liberty of the blacks? You know that wherever we have been we give it to those who have it not. Tell them if liberty seems the greatest good, they can enjoy it only by becoming French citizens." * As the sequel proved, this was but a lying pretense. The whole dealing of Bonaparte with Toussaint is perhaps the blackest part of his career. He meant to win back the island with slavery restored. He meant also to crush democratic ideas if he could, and saw in Toussaint's empire a bulwark of republicanism as established in the United

* Napoleon Correspondance.

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States. No one in the United States appreciated the situation. Jefferson came in, a man of peace, determined to be friendly to France. Support was withdrawn from Toussaint; he was left to face his danger alone.

In January, 1802, Le Clerc appeared with a great fleet and army, and was met at once as an enemy. The war was sharp and swift, and was not intermitted, though Toussaint himself disappears. Relying upon the honor of his foes, in the hope that good might come to his cause by surrender, he gave himself up. Thereupon he was treacherously conveyed to France, to die within the year of pneumonia in a casemate of the fortress of Joux, in the bleak Jura region. Coeval with his deportation from the island came the decree that the blacks whom the National Assembly had set free in 1794, and to whom the First Consul had promised freedom in the preceding November, should be again reduced to slavery.

But Bonaparte was far enough from having won the game. Toussaint had capable pupils, who, though not equal to the French in the open field, carried on irregular warfare from the forests and mountains most effect-

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ively ; and, now that their leader was gone, gave rein to the ferocity which belonged to them as savages. Presently stood at their side a terrible ally, the yellow fever ! The pestilence devoured far more than the sword devoured, until, as the summer ended, Le Clerc was forced to report that scarcely a seventh of his army remained. In November the general followed his legions into the sepulcher, and the cause of the French became hopeless.

In the summer Bonaparte's hopes of success in San Domingo had been high. He wrote to Le Clerc* that everything was going well elsewhere. "Rid us of these gilded Africans," he said—having in mind Toussaint and his lieutenants—"and we shall have nothing more to desire." A little earlier† he had written to his Minister of Marine, Decrès : "My intention is to take possession of Louisiana in the shortest time possible." The expedition was to be prepared with the greatest secrecy, and pretense was to be made that it was a reenforcement for San Domingo. "Let me know," continues the First Consul, "the

* Correspondance, July 1, 1802.

† June 4, 1802.

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number of men you think necessary, both infantry and artillery. Present me a plan for organizing the colony, both military and civil, for works, fortifications, etc. Make a map of the coast from St. Augustine to Mexico, and a geographical description of the different cantons of Louisiana, with the population and resources of each." A month later,* he writes both to Berthier and Decrès as to details. There are at once to be assembled at Dunkirk five battalions of infantry of the 54th and 17th regiments, two companies of artillery, sixteen pieces of cannon, and three thousand muskets, to be under command of a general of division who shall have under him three brigadiers, the whole to set sail early in November after the equinoctial storms. The large proportion of officers no doubt indicates that the force was to serve as a nucleus to be increased largely from the population of Louisiana. No doubt, too, it was thought fitting that the captain-general should have a retinue of dignity. To hold this high position Bonaparte at first named Bernadotte, who already had great distinction, the appointment pos-

* August 4, 1802.

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sibly being made that a dangerous rival might be got out of the way. Bernadotte, however, made inconvenient conditions, whereupon he was named minister to the United States; that position, too, he never assumed, although he was on the brink of sailing for America.

The commander finally settled upon for Louisiana was the impetuous Victor, who in the late summer and fall of 1802 pressed energetically the preparations for departure. As one encounters these historic names, famous marshals of the Empire as they afterward became, it is interesting to mark how easily their destinies might have been different. But for the intervention of a Russian assassin, Masséna would have marched upon India through the passes of the Himalayas with 70,000 men. The news of a coming European war kept Bernadotte in France; and Victor, almost on shipboard, was at the last moment needed elsewhere. So they pass on to Austerlitz, to Jena, to Wagram, to Moscow and Leipsic, becoming duke, prince, or king in the great new ordering of Europe, now close at hand.

Still another of these imperial satellites

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about-to-be just at this time played a part in the development of this American incident. The treaty of retrocession, first arranged by Berthier in 1800, and confirmed during Lucien's term in 1801, had not as yet, mainly through the tenacity of Godoy, received the signature of the king, which alone could make it valid. Even now, though Spain was prostrate, Carlos IV held back; pressure must be brought to bear; and the First Consul used as his instrument the able Gouvion St. Cyr. Not until October 15, 1802, did the king yield, and only then after exacting most definite conditions. 1. The new kingdom of Etruria, as the Italian appanage of the infant and her husband was to be called, must be distinctly recognized by Austria, England, and the dethroned Duke of Tuscany, whose lost territory was incorporated in the new domain. 2. France must pledge herself not to alienate Louisiana, and to restore it to Spain in case the King of Etruria should lose his power. These two things Talleyrand, Minister of Foreign Affairs, solemnly promised, St. Cyr giving a written pledge in the name of the First Consul. The whole coast of the Gulf

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of Mexico was to be included in the cession, from St. Marys, on the Atlantic, to the Rio Bravo, now the Rio Grande, the boundary of Mexico. Bonaparte was to have what Spain had received from France, the understanding being that what is now Texas was to be included, and in the far Northwest an extension to the Pacific. An outline containing these claims, unsigned, but probably the work of Barbé-Marbois, Secretary of the Treasury, still exists in the archives of France.* The United States, at whose "usurpations over Spain" Bonaparte professed to be indignant, was to be entirely shut off. The lucrative commercial relations between the Union and the French West Indies were to come to an end, the plan being that Louisiana alone should furnish the supplies. Bonaparte had labored and planned for it through three long years, to meet at last colossal failure.

The story has reached the point where the United States must be taken into account. The administration of John Adams, during which the Federalists, leaning strongly toward

* W. M. Sloane, *American Historical Review*, iv, 445.

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England, nearly involved the country in a war with the French Directory, came to an end March 4, 1801, and a new figure sat in the President's chair. "For eight years this tall, loosely built, somewhat stiff figure, in red waistcoat and yarn stockings, slippers down at the heel, and clothes that seemed too small for him, may be imagined . . . sitting on one hip, with one shoulder high above the other, talking almost without ceasing to his visitors at the White House. His skin was thin, peeling from his face on exposure to the sun, and giving it a tettered appearance. This sandy face, with hazel eyes and sunny aspect—this loose, shackling person—this rambling and often brilliant conversation—belong to the controlling influences of American history. . . . Jefferson's personality during those eight years appeared to be the Government!" *

Jefferson had scarcely suspected the intrigue of France for the retrocession of Louisiana. He was in his notions a disciple of Rousseau; had been an ardent sympathizer with the French Revolution, whose begin-

* Henry Adams, *History of the U. S., etc.*, I, 187.

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ning he had witnessed close at hand, and had been scarcely estranged by the later excesses. Though with the eighteenth *Brumaire*, the establishment of the consulship, republicanism had practically come to an end in France, he, like the world in general, could not see it at once, the First Consul being a quantity quite unknown. The new President began with a favorable disposition not only toward France, but also toward Spain, her ally. He believed that the recent troubles with France were due to the Federalists, and that a frank and trustful policy would set matters right. Of course, in these ideas he was quite out of sympathy with a large division of the party which had elected him. The West and South hated the Spaniards; and when it developed, as was presently the case, that France was scheming for the retrocession of Louisiana, they grew wild with alarm, believing that their strait as to the navigation of the Mississippi would be closer than ever. A new minister to France, Robert R. Livingston, sailed in August, 1801. By this time the effort for the retrocession had become well ascertained; but even now any bad intention

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toward the United States was not suspected by the administration, and Madison, Secretary of State, sent mild instructions to the foreign envoys.

Livingston, soon after arriving at Paris, sharply interrogated Talleyrand on the subject, who denied that any retrocession had taken place. The arch dissimulator really told no lie here, for, as we have just seen, the signature of the King of Spain to the treaty had not yet been affixed. News of Talleyrand's denial reached Jefferson at the same time with a letter from Rufus King, Minister to England, who forwarded a copy of the unratified agreement formulated in the spring at San Ildefonso between Godoy and Lucien Bonaparte. Jefferson now became convinced, much against his will, that a quarrel with France was imminent. But for the delays imposed upon the First Consul, first by Godoy, who would not yield Louisiana until every condition had been fulfilled, and secondly by Toussaint and his followers, who balked the French in San Domingo, General Victor might at this time have been setting in order a threatening foreign host at New Orleans.

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By this time there were many signs of a heavy tempest. It had become known that Le Clerc at once upon arriving in San Domingo had shown unfriendliness to Americans, seizing their property and stigmatizing them as "the scum of nations." Pichon, an old Republican, minister at Washington, who, not prepared for the new order, tried to explain and adjust, was rebuked from home and presently dismissed. The letters of Livingston reported cavalier treatment. On both sides temper was rising. While Talleyrand was supercilious in Paris, Le Clerc was angry in the West Indies. On the other hand, *James Madison* Livingston's blood was up, and even the peace-loving Madison was losing his calm. As it became known in the country that France was likely to replace Spain at the mouth of the Mississippi, and that she was by no means a good friend, a warlike murmur arose, particularly throughout the West and South.



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Amid such mutterings Jefferson bore himself well. Following his bent, he still tried to be conciliatory, but at the same time there was a show of spirit. If France persisted in taking Louisiana, he wrote Bonaparte, it would cost her a war, perhaps soon, which would annihilate her on the ocean, and place that element under the despotism of two nations—"which I am not reconciled to the more because my own would be one of them." To Livingston he wrote: "From the moment that France takes New Orleans, we must marry ourselves to the British fleet and nation." Mr. Adams believes that there was a touch of bluster about this, which Jefferson thought in the circumstances might be politic. He was too peace-loving to be sincere in it. But when Bonaparte was the one to be frightened, and Talleyrand the one to be hoodwinked, the *naïveté* of the proceeding becomes rather ludicrous.

CHAPTER IV

HOW JEFFERSON BUILT BETTER THAN HE KNEW

NEAR the end of 1802 news arrived which aggravated the public excitement. Morales, intendant or civil officer at New Orleans, abrogated the right of deposit, closing absolutely the Mississippi to the United States. The right had been enjoyed since the treaty of 1795. It had been granted at that time for three years; though this term had expired four years before, the arrangement had been suffered to continue. Under this the western traders, unhampered, paying a moderate charge for storage, had been able to lay down and reship at New Orleans the merchandise brought from the interior. To be sure, the Spanish governor, Salcedo, disavowed the act, but the intendant was quite independent of him. The restriction continued, and the

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course of Morales was universally taken in America to portend what must be borne when France took hold. War now seemed inevitable, the Federalists chuckling at the prospect. Their great opponent—so fond of France, so cool toward England, so naively peace-loving that he had conceived the idea of laying up under cover as useless, side by side, the few little frigates that formed our entire navy—would be forced after all to fight, adopting the identical policy which they had laid down.

But Jefferson extricated himself, his own dexterity being favored by extraordinary good fortune. "Peace is our passion," was one of his exclamations. Peace he preserved, striking into a neutral policy which was entirely successful. For the moment no action was taken. Meantime the trouble worked toward a solution. The Spanish minister at Washington, Yrujo—an interesting young man, brave and able, though quick-tempered and vain, the son-in-law of a prominent Jeffersonian, and through his American wife very much of a Republican—now vigorously declared that the act of Morales was unauthor-

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ized, and despatched to him a letter of rebuke. This, when known, had a pacific effect. A letter from Salcedo, governor of Louisiana, repudiating also the action of Morales, when laid before Congress quieted warlike feeling there. The West and South, however, continued to be up in arms, demanding that a force should proceed southward forthwith, with the view of seizing New Orleans at the first sign of the French advance. This discontent of the West and South affected Jefferson strongly, and it was no doubt mainly in order to put an end to this that he now took such action as he did. As a man of the "tide-water" region of Virginia, the world beyond the Alleghanies seemed to him very far away. It was not easy for him to feel that this free navigation of the Mississippi was so very important, at any rate in comparison with the interests of the Atlantic coast; and as regards the great unknown region west of the Mississippi, the unexplored wilderness of Louisiana, he no doubt was quite indifferent, if, indeed, he did not regard it with dread. Madison is on record as believing that emigration west of the river

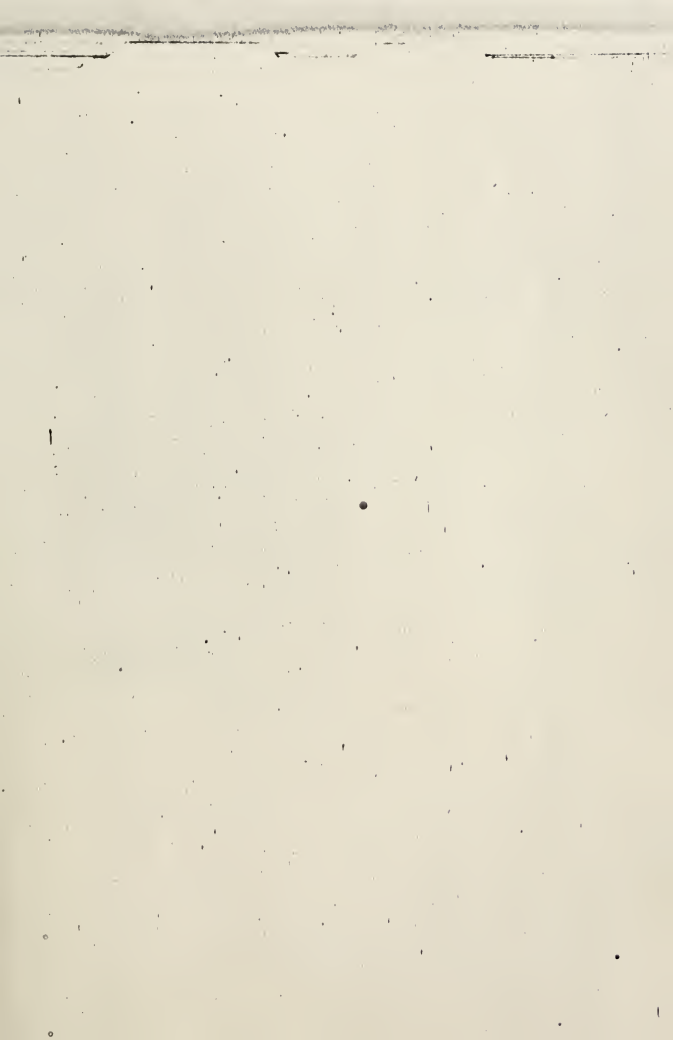
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would be detrimental; that settlers should remain on the eastern side; not "dilute population" by spreading too widely. To occupy that unknown desert—such it was believed to be in great part—would most unwisely "slacken concentration" and be a certain promoter of disunion sentiments. It was a necessity that the west bank should be under a separate government. These views of his secretary the President probably shared. What he felt in the exigency was the turbulent ill-humor of the frontier people; that he must find some means to allay, though the deep reasons for that ill-humor impressed him but little. He hit upon an effective scheme to carry out his desire; and as it developed, the fates so ruled that he builded far, far wiser than he knew.

Jefferson's expedient to quiet the West and South was to appoint a special envoy, a man well and favorably known, with \$2,000,000 in hand, authorized to proceed to Europe, and buy outright New Orleans and Florida. This envoy was James Monroe, a good soldier of the Revolution, who since then had played a part in Congress, also as Minister to France



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and as governor of Virginia. The French envoy, too, at this juncture wrote a remonstrance to the First Consul, and used his influence also in Louisiana to do away with the interdict of Morales. All these facts becoming known, impatience subsided, and the excited communities grew calm enough to wait for the outcome. Monroe's instructions were definitely laid down: 1. He was to purchase, if possible, New Orleans and the Floridas, and he might expend up to \$10,000,000 rather than lose the chance. 2. Should France refuse to sell even the site for a town, the old right of deposit, as granted in 1795, was to be tried for. Should that fail, further instructions were to be waited for; Jefferson, apparently, was determined to pull still another string rather than go to war. Besides the money, an offer of commercial privileges for ten years was to be made to the sellers; incorporation with full privileges into the Union was promised to the people of the districts to be ceded. The west bank of the river, too, was to be guaranteed, if necessary, to France. What our generation sees to have been a thing of inestimable importance, was

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outlined only in the faintest way in the background of the consciousness of those negotiators of 1803, and so far as it was noticed at all, regarded only with aversion. Really, to satisfy the American administration, Bonaparte needed only to disavow the act of Morales, and restore and guarantee the conditions of 1795. Jefferson was indeed shortsighted, but no more so than everybody else. Livingston once or twice, as will be shown hereafter, recommends to Talleyrand, for the sake of France, the cession to the United States of the country "north of the Arkansas." These are probably the only references of that kind that can be found in the public utterances of that time; in making them he put himself quite outside the sympathy both of the American Government and of the people.

When the negotiation was over, indeed, there was from Livingston a notable outburst, which we shall in good time consider.

Jefferson, in his policy at this time, was thought by the envoys of France and England at Washington, and also by many of his own countrymen, to be weak and pusillani-

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mous. The simple fact was that he loved peace, and was determined to preserve it if possible. He showed really great moral courage and strength of character in maintaining so steadfastly, in that age so prone to weapon-wielding, his noble attitude. His policy was destined to be successful far beyond anything that he or any one could have anticipated for it; but when Monroe set sail, March 8, 1803, the omens were dark. Though Victor and his soldiers delayed, a civil official, M. Laussat, a busy man, formerly in the Convention, whose name one often encounters as he turns over old files of the *Moniteur*, arrived in New Orleans, March 26, 1803, and promptly set to work to prepare for the French occupation. He allayed the fears of the creoles on the point of slavery by making known a recent law of the French Republic maintaining slavery and the slave-trade. In other ways he sought to arouse a disposition favorable to a change, a task by no means difficult. The President had small hopes of success in his negotiations, and was already anxiously considering with his Cabinet what might be done with England in case

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France proved obdurate. The most Livingston had been able to say from Paris was, "Do not absolutely despair." Meantime a



Gouverneur Morris

resolution was offered by the Federalist Senator Ross, of Pennsylvania, in Congress, looking toward the immediate seizure of New Orleans by force; \$5,000,000 were to be put into the hands of the Executive, and 50,000 men were to be set in motion before the French had time to arrive. The

project was discussed in both Houses in secret session, Gouverneur Morris, who had had better opportunities to know France than perhaps any other American, especially favoring it.

But the fates were working for America. In these early weeks of 1803 a disappointment was coming home to Bonaparte, bitter and heavy enough to have overcome any one but a Titan. His plans for a colonial empire, so dear to him, so long cherished, so powerfully pushed, were failing utterly. His own cam-

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paign in Egypt and the project for the great invasion of India by Masséna had first come to naught; now his schemes in the Occident were meeting with disaster. In San Domingo general and army had perished under the weapons of the blacks and the stroke of pestilence. Victor's army, prepared for Louisiana, it had been necessary to send to that abiding-place of death to recruit in some degree the ranks out of which the troops had dropped. Moreover, the gloom of a mighty European struggle, certain to begin in the near future, was now gathering not obscurely. Whatever agony of mind the First Consul may have felt over this ruin of his projects, he gave little or no sign of suffering. Prompt and buoyant, as if nothing had happened, he abandoned his old path, and, to the surprise of those about him and the world at large, dashed with all his energy into a new course.

Probably the first symptom that can be fixed upon of the First Consul's change was the appearance in the *Moniteur* of January 30, 1803, of the report of his emissary Sebastiani on the Military Condition of the East, which was the alarm to England that the

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peace of Amiens was about to be broken. On February 20th there was in the First Consul's annual message a still further menace against England; and on March 12th occurred in the drawing-room of Josephine the memorable scene which was practically a declaration of war. Livingston interrupts a letter to Jefferson of this date, as he says, "to attend Madame Bonaparte's drawing-room, where a circumstance happened of sufficient importance to merit your attention. After the First Consul had gone the circuit of one room, he turned to me and made some of the common inquiries usual on these occasions. . . . When he quitted me he passed most of the other ministers merely with a bow, went up to Lord Whitworth (British ambassador), and after the first civilities said: 'I find your nation wants war again.' L. W.: 'No, sir, we are very desirous of peace.' First Consul: 'You have just finished a war of fifteen years.' L. W.: 'It is true, sir, and that was fifteen years too long.' Consul: 'But you want another war of fifteen years.' L. W.: 'Pardon me, sir, we are very desirous of peace.' Consul: 'I

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must either have Malta or war!' L. W.: 'I am not prepared, sir, to speak on that subject; and I can only assure you, Citizen First Consul, that we wish for peace. . . . Bowing hastily to the company, he retired immediately to his Cabinet without entering the other rooms. . . . It is, then, highly probable that a new rupture will take place, since it is hardly possible that the First Consul would commit himself so publicly unless his determination had been taken.'*

Just at this juncture Toussaint L'Ouverture coughed his life away in the bleak casemate of the fortress of Joux, in the Jura Mountains, the leader of the men who had thwarted Bonaparte's grasp after a western empire. It is not strange, says Adams, that Bonaparte should have soon forgotten the "miserable negro"; "but race prejudice alone has blinded the American people to the debt they owe to the desperate courage of 500,000 Haitian negroes who would not be enslaved."

We fortunately possess a most graphic portrayal, by the hand of a brother of Napo-

* *Annals of Congress, 1802-1803, Appendix, p. 1115.*

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leon, of the First Consul at the moment when he decides upon parting with Louisiana. Probably there is no more vivid picture extant of Napoleon "in undress," very literally so. The account possesses the utmost interest in the story of the Louisiana Purchase, and should be much better known than it is.

Next to Napoleon the ablest of the Bonaparte brothers is said to have been Lucien, who, some years younger than the First Consul, in 1803 but twenty-eight, had nevertheless been for some time a famous man. Though in 1801 he had accepted the gifts of Godoy, and so laid himself open to the charge of venality, his life on the whole was respectable. He married as his heart dictated instead of bending to his brother's will, though his independence cost him a kingdom; and preferred exile with comparative obscurity to the gilded chains he might have worn in company with Joseph, Louis, and Jérôme, at the wheels of Napoleon's imperial car.* In connection with the sale of Louisiana to the

* Joseph became King of Spain; Louis, King of Holland; Jérôme, King of Westphalia.

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United States there exists in his *Mémoires** a detailed account of a curious quarrel between Napoleon on the one hand and Joseph and Lucien on the other. The story has every internal evidence of truth and is dramatic in a high degree. Rather strangely, the story as a whole seems never to have been translated, though in abridged form it has now and then appeared.

Lucien, referring to the eighteenth *Bru-maire*, November 9, 1799, when he as President of the Council of Five Hundred played a part in the overthrow of the Directory, exclaims: "How many lovers of liberty have regarded me as an accomplice in my famous brother's apostasy, the consequences of which were so sad for me! By no means. Unfortunately, my brother did not hold fast to the republicanism to which his spirit in early youth was devoted. Yet I have often witnessed the struggle it cost him to free himself from that early passion, and I do not hesitate to cite as some palliation of my brother's backsliding the desire of the ma-

* Lucien Bonaparte et ses *Mémoires*, 1775-1840, tome II, Paris, Charpentier, 1892. Th. Jung.

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jority of Frenchmen at that time to submit themselves to despotism. He was not won over until continued assaults had been made upon him from the beginning of his elevation to power. In spite of my esteem for Washington, I believe even he would have had some difficulty in keeping firm, if all his valiant companions-in-arms, the civil functionaries, too—in fine, the men who with him were co-founders of America—had insisted on his assuming the crown of a king or an emperor.”

After this preface Lucien refers to his embassy to Madrid in 1801, at which time he had been spurred on by his brother to conclude the treaty. “‘Above all,’ Napoleon had said, ‘don’t let Louisiana go. Hold fast to that.’ Beautiful Louisiana put at sword’s points three of us—Joseph, the First Consul, and me.”

“It was on a day of a first performance at the Théâtre Français. [No doubt April 6, 1803, when the *Moniteur* reports that the famous Talma for the first time played Hamlet.] I had come in to attend the theater from my place in Plessis, and going in to put off my

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country attire, I saw with surprise in the court the carriage of my brother Joseph; and learned, while going up-stairs, that he, knowing my plan, had told the porter he would go with me to the play. I had scarcely entered the *salon*, where, as I heard, Joseph had been pacing back and forth for half an hour, when my brother exclaimed: 'Here you are at last! I was afraid you would not come. You are thinking of going to the play. I have come to tell you news which will take away your desire to amuse yourself.' My first thought was that our mother had fallen ill; but Joseph, replying quickly to my anxious 'Say quickly what's the matter,' continued: 'You'll not believe it, but it is true. The General means to give up Louisiana.' 'Bah! who'll buy it of him?' 'The Americans.' I stood for a moment stupefied. 'Come, now,' said I, after a moment. 'Suppose this were his plan, the Chambers would never consent.' 'He means to get along without their consent. That is what he said when I declared as you now do that the Chambers would not consent.' 'What! Did he really say that? That's rather strong. No; it's im-

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possible. It was only a bit of brag (*fanfaronade*) for your benefit.' 'No, no,' insisted Joseph, 'he was talking very seriously. And, what is more, he added that this sale would furnish him with money for a war. Do you know, I begin to think he is going to like war too well.'

"We talked together for some time about this *coup d'état* which seemed to us of great importance. 'And all this,' said Joseph [who as elder brother looked down patronizingly on the later comers], 'is going to take place under the direction of this callow youngster!' For my part, I did not go so far as to believe, as Joseph was inclined to do, that a revolution would come about that would set us all adrift at once. 'Besides,' said I, 'if the First Consul really has this incredible fancy about selling Louisiana after all he has done to get it, and the necessity for our having it that he has always talked about, for our colonial interests and even for our national dignity, how will he be able to dispense with the authorization of the Chambers? Since the Americans on their side will, of course, not agree without this condition, we shall

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have time enough to block the scheme by our parliamentary opposition—opposition based upon the bad effect which the mere suggestion of alienating a dependency of this importance could not fail to produce on public opinion; and, if necessary, we will speak to him about the danger to which he would expose all those of his name. He ought to know that when the people are roused it is but a step from the Capitol to the Tarpeian rock.’ ‘Undoubtedly,’ interrupted Joseph, ‘to any other man you might say, “If you do not care for yourself, have some care for us”; but he will have slight thought for us however important we may think ourselves. Several times he said to me: “I have no children—so after me the deluge. You or some successors will fight over my tomb like the followers of Alexander.”’

“I knew [continues Lucien] about this disposition of the First Consul, having heard him say about the same thing, half-joking. Joseph declared very resolutely that the duty of frank and courageous opposition was absolutely incumbent on us in the present circumstances. ‘If our brother actually gets it into

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his head to sell Louisiana with as little ceremony as our dear father would have shown in selling a vineyard, and if therefore the creoles over there wake up some fine morning good Americans, having gone to bed as Frenchmen the night before—what will they say, or rather what will they do?’ ‘Never mind that,’ said I. ‘They will say little and do nothing, good people that they are. The most of them will not be sorry to belong to a government which certainly will not sell them overnight.’ ‘All right,’ said Joseph, ‘but will Paris be satisfied?’ ‘Paris, I agree, will not gain as much; but I believe it will swallow the pill without making faces, and will digest it still more quietly, particularly if the General continues hereabouts to be fortunate in war. If he allows himself to be beaten, which I do not think possible, it will be another thing.’ ‘*Parbleu!*’ burst out Joseph, ‘before getting so far as that this Monsieur *Napoleon* must hear from me.’ The name *Napoleon*, says Lucien, had heretofore only struck my ear in my childhood, when our brother, the officer of artillery, was mentioned, and sometimes when our mother

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used it. [He seemed to hear it now for the first time as conveying an imperial suggestion.] Joseph and I were both wrong—I in thinking the First Consul would not dare to sell Louisiana without parliamentary authorization; he in thinking that the General would so dare, and fearing the disasters that would result to the family through the wrath of the nation."

CHAPTER V

NAPOLEON AND JOSEPH BONAPARTE QUARREL OVER LOUISIANA

LUCIEN continues: "It was growing late. The project of going to the play was abandoned, the clock striking midnight. Pedro brought us chocolate, a Spanish custom I had adopted during my embassy. Joseph for this time kept me company, and we separated after agreeing that I should go next morning to pay a visit to the First Consul, who thus far continued to receive us familiarly. Joseph was to follow soon without its appearing that we had planned it so. I was to break the ice as to the Louisiana matter, though not until the First Consul himself had led the way to it. Should I be asked if Joseph had broached the subject to me, I was to admit it, and might even say that Joseph had shown alarm. I was to follow my own judgment in replying

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to the suggestions the First Consul might throw out."

[During the night Lucien brooded over the matter, feeling more strongly the impolicy of alienating Louisiana the more he thought about it, but holding himself to be as insignificant as the fly on the coach-wheel as to any influence he could exert upon his powerful brother. Next morning, April 7th, Thursday:]

"I went to the Tuileries, where I was without delay led to the First Consul's apartments, who was at the moment taking a bath. I found him in excellent humor, straightway launching out into a description of the performance of the previous evening, which he had attended. He was surprised and sorry that we had not joined him, because Talma, of whom we all were very fond, had shown great power. Then he added with much *bonhomie*: 'You might have seen, too, that the Parisians always like to see me. In fact, I scarcely flattered myself they would ever become so sympathetic when I had to shoot them down that October day in 1795.* Ah,

* The day when Napoleon, commanding for the Directory, first showed his quality.

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that *Cul-de-sac Dauphin*! Since then I have seen many battle-fields of different dimensions, God knows. But that one in the midst of Paris where the dead were all Frenchmen, sometimes gives me bad dreams. But to speak of pleasanter things, do you know what the street-wits said? It's droll but true. That the *Cul-de-sac Dauphin* was not a close at all, since it led straight to the Tuileries.' 'You proved it, my dear brother,' said Lucien, 'by going that way to install yourself there.' 'That's what I meant, you may well believe. Ah, those queer fellows, so light and forgetful! But it's better so.' 'Yes,' I added, 'good and ill are forgotten almost in the same degree. One might think that the waters of the Seine were like those of Lethe.' 'Ha! ha! you are always inclined to poetry. Well, I like that. I should be sorry to see you give that up entirely for politics.' 'I do not think,' said I, 'that one stands in the way of the other. Not to speak of David and Solomon, who were undoubtedly poets, you yourself, Citizen Consul, had not poetry begun to charm you? Was it not, so to speak, the first glow that escaped from the flame of your

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genius? Almost all statesmen, financiers excepted, have begun by being poets. I was reading only the other day that the famous economist Turgot boasted of his fondness for novels.' For some unknown reason, as I remember with surprise, this reference to Turgot did not please him. 'Bah!' he exclaimed contemptuously. 'Turgot—Turgot!' and he mouthed the name so scornfully that I hastened to say what was true, that if the Citizen Consul had been willing to take up poetry, he might have shone in it as in everything else he had undertaken. 'Well, yes,' said the First Consul, pleased, and rolling the bit of flattery under his tongue. 'Do you really remember, my dear Lucien, my first efforts?' 'I well remember them,' was the reply. 'Your story of our Curé de Gualdo charmed the whole family; so, too, the wits in all the country round, as our uncle Archdeacon Lucien told us. How many times have I read it myself with delight and pride, for I was younger than all of them!'

"Then we talked a little about Corsica, for which I noticed my brother cared less than I, France having absorbed him. He

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spoke slightly of the patriot Paoli, to my displeasure, which I expressed. 'Then why,' said the First Consul, 'have you abandoned him?' 'Because, brother, like you and Joseph, I preferred France to England. The constitution—' 'The constitution!' broke in the First Consul contemptuously. 'Have you ever seen an authentic copy of the plan which Jean Jacques Rousseau gave Paoli for Corsica?' 'I never heard it mentioned even.' 'It is a positive fact, Abbé Raynal told me that this document, as he knew, was a hotch-potch where most principles called free were sacrificed.' Napoleon now referred to Lucien's Jacobin sympathies, to which Lucien replied very seriously: 'Let me tell you, I have never deviated in the least from the opinions you have held. We have been good and sincere Republicans together—you gloriously at the head of our armies, I in our popular assemblies or at the parliamentary tribune. If you call me a Jacobin in the only sense appropriate to me, all right. I don't object. But I beg you not to class me with some kinds of modern Jacobins, whom I like no more than you do, as they know well.'

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If I had not been taken up with the Louisiana matter, which I had been expecting he would start in upon, I should have refuted his accusation of Jacobinism with less moderation.

"Recurring to Paoli, I recalled to him what was true, that I had often heard him say Paoli was a great man on a small stage; and that it was unfortunate, since he was one of those rare geniuses fitted to regenerate nations debased. 'Yes, I still have those thoughts sometimes,' said Napoleon, 'but I smother them; for the farther I get from good Paoli, the better I understand that men are not born to be free.' 'Have you come to believe, then, that men are better off if liberty belongs to one single man alone, to use in behalf of all, with good intentions? In a word, would you have one single, absolute king, like a single, absolute God?' 'Ah! there you go into metaphysics!' said the First Consul. 'I have no taste for them. Mathematics has driven me more and more from that science, if there is one.'"

[The dialogue went on, Lucien continually anxious to get upon Louisiana, yet dreading

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to make the approach. In the desultory, intimate talk, Napoleon all the time immersed in the bath, which contained a large infusion of cologne, there were, as reported by Lucien, now touches of conceit, now of good-nature, now of cynicism.]

“‘Machiavelli is right,’ burst out the First Consul. ‘You must always live with your friends with the idea that they may some day be your enemies. He ought to have said, “you must live so with everybody.”’

“It was almost time to come out of the bath, continues Lucien [one would indeed think so], and as yet there had been no mention of Louisiana. As the opportunity for saying something drew toward an end my hesitation increased. The valet had already prepared the cloth in which to wrap his master. I was about to leave the room, when Rustan [the famous Mameluke attendant] scratched like a cat at the door—a practise introduced a few weeks before at the Tuileries instead of knocking. The visitor for whom Rustan had put his nails to use at the door, of the consular bath-room was no other than our brother Joseph. ‘Let him come in,’

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said the First Consul; 'I shall stay in the bath a quarter of an hour longer.' He was accustomed to indulge inordinately in the bath when business did not press. I had time to make known to the newcomer that as yet I had not spoken of Louisiana, and I saw he was in doubt how to begin if our brother did not lead up to it."

[In order to comprehend the scene which now took place, it must be remembered that the three brothers, though playing parts on a large stage, were nevertheless in their characters thorough Corsicans. The family tie was intensely strong; if one had been assailed, the others would have entered upon a fierce vendetta, no doubt, with all the exaggerated clannishness of the barbarous islanders. The attachment to the old mother, Letitia Ramolino, was noteworthy and interesting: brothers and sisters held together remarkably. The tradition nevertheless is that Pauline, Caroline, and Eliza scolded together like fishwives on slight occasion; and the brothers, as we are about to see, sometimes all but laid hands upon each other in their wrath.]

"The First Consul having settled back

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into the perfumed water, we brothers meantime standing near, and the valet holding the sheet extended, Napoleon said to Joseph, 'Well, brother, have you spoken to Lucien?' 'What about?' said Joseph. 'Of our plan as to Louisiana, don't you know?' 'Of *your* plan, you mean, my dear brother. You can not have forgotten that far from being mine—' 'Well, well, preacher,' broke in Napoleon, 'I don't need to discuss that with you, you are so obstinate. I like better to talk about serious things with Lucien; for, although he sometimes takes it into his head to go against me, he knows how to give up to my idea when I think fit to change his.' 'You are unjust enough,' said Joseph, 'to attribute to obstinacy what is the effect of wise reflection.' 'Then,' said I to Joseph, laughingly, 'that means that I hold my ideas so lightly I can easily be reasoned out of them.' 'Ah, my dear boy,' said Napoleon, 'don't fear that any one will accuse you of lightness. You are more likely to be nicknamed Ironhead (*tête de fer*).'"

[Some persiflage about the nickname Ironhead followed back and forth between Napo-

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leon and Lucien, during which Joseph appeared bored.]

"At last he broke in quite brusquely, 'Well, you say nothing more about your famous plan.' 'Yes,' said the First Consul, 'but it's late, and if Lucien is willing to wait with you in my cabinet, Mr. Faultfinder, I will join you soon. Please call back the valet; I must get out of the bath at once. Only take note, Lucien, I have made up my mind to sell Louisiana to the Americans.' I thought it my cue to show only moderate surprise at this announcement, which I pretended was news, feeling sure that I should have reason to show more, as his determination appeared to sell it of his own accord, without any consultation of the Chambers. I simply exclaimed, 'Indeed!' in a tone of curiosity, indicating a wish to know more, expressing neither approval nor the contrary. This apparent indifference caused Napoleon to say: 'Well, Joseph, you see Lucien does not utter loud cries about this thing. Yet he almost has a right to, seeing that Louisiana is, so to speak, his own conquest.' 'I assure you,' said Joseph, 'if Lucien says nothing, he thinks

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none the less.' 'Indeed! and why should he be diplomatic with me?' Brought forward thus unexpectedly, and, as it were, thrust against the wall, I had to explain myself; and really I was not sorry. But as Napoleon did not ask my opinion about the sale, I contented myself with declaring that I really thought on this matter as Joseph did. 'I undertake to say,' said I, in a tone which I tried to make as little offensive as possible, 'that the Chambers will not assent.' 'You undertake to say!' Napoleon said this with an air and tone of contemptuous surprise. 'A pretty piece of business!' 'And I undertake to say,' said Joseph in a tone of triumph, 'that it will be so. And that is what I told the First Consul before.' 'And what did I say?' said our brother, his wrath rising, looking at us by turns, as if not to lose any change in our countenances. 'You declared,' said Joseph, 'you would get along without the assent of the Chambers, did you not?' 'Exactly. That is what I took the liberty to say to Monsieur Joseph, and what I repeat here to Citizen Lucien, begging him to give me his opinion about it, derived from his

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paternal tenderness for that mighty diplomatic conquest of his.' " *

[Let the reader dwell for a moment on the scene. The front of Napoleon with its black locks emerging from the water, his eyes afire with the battle-gleam as he turns them now this way, now that, his impetuous words rolling like a volley. He was now, at the age of thirty-four, in the height of his intellectual and physical vigor. His body, no longer marked by the emaciation of his earlier years, had not yet taken on the waxy corpulence of his later time; his mind was never more alert; his will never more imperious. Lucien's comment upon the moment is to this effect—that only those who have themselves undergone the blasting discharge of scorn and irony which alone of men this son of our father could deliver, can have any idea of its force. He remarks that he managed to stand up under it in the consciousness that his treaty was really a good and useful piece of diplomatic work, and so regarded.]

"The matter seemed about to be dropped,

* Referring, of course, to Lucien's work at San Ildefonso.

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and Joseph and I were turning toward the door, while the valet was spreading open the sheet to wrap up his master, when the latter, returning to the charge, suddenly cried out in a tone that made us all start: 'Well, sirs, think what you please about the sale of Louisiana; but you may both of you put on mourning over this thing—you, Lucien, over the sale of your province; you, Joseph, because I purpose to dispense with the consent of all persons whatsoever. Do you hear?' I confess that I fairly shivered at such an outbreak, on a topic so delicate in the presence of a servant. I kept still, however, but Joseph made a remark which caused a tremendous tempest, not in a teapot, as the saying is, but in the bath-tub of the man who was beginning to make all the sovereigns of Europe tremble. Stung by the scornful words and manner, especially by the contemptuous 'Do you hear?' which had been the cutting snapper to our brother's lashing wrath, Joseph rushed back, exclaiming: 'You will do well, my dear brother, not to lay your plan before the Chambers, for I swear to you I will myself, the first, put myself, if neces-

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sary, at the head of the opposition which will certainly be made.' ”

Continuing, Lucien says: “I was preparing to support Joseph, but in a somewhat less vehement tone, when I was stopped by an outburst from Napoleon of loud and sarcastic laughter, at the end of which Joseph, flushed and almost beside himself, stooping over the figure that lay immersed, screamed out: ‘Laugh, laugh, laugh, then! All the same I shall do what I say; and though I do not like to mount the tribune, this time you’ll see me there.’ At these words Napoleon, rising so as to show half his body out of the water opaque and frothy with cologne, cried sternly: ‘You will not need to play the orator, for I repeat to you that this debate will not take place; because the plan so unlucky as to be disapproved by you, conceived by me, negotiated by me, will be ratified and executed by me—by me alone, do you understand?—by me, who scorn your opposition.’ ” The speaker then immersed himself once more to the neck; but Joseph, whose self-control was quite gone, his face all aflame, roared: ‘Well, General, on my side I tell you

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that you, I, and all of the family, if you do what you say you will, may get ready to join shortly those poor innocent devils whom you so legally, so humanely—above all, with so much *justice*—have had transported to Cayenne.’”

[The reference was to certain alleged conspirators whom many thought harshly punished. Lucien says it was a home-thrust, and he longed to get away. But now came an aquatic explosion the consequences of which he escaped by being in the background, but which Joseph received the full force of—an explosion caused by the quick rising and plunging back of Napoleon so that the water dashed out in a flood on the floor. He thundered at the same time, “You insolent fellow, I ought—” Lucien says he did not hear the rest of the sentence, if there was any more.]

Excited though he was himself, he could not help remarking the contrast in his two exasperated brothers. While Joseph reddened with his fury, the pallor of Napoleon’s face and breast only grew more marked. Feeling that he ought to play the part of

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conciliator in the wordy battle that had now become so violent, he hit out felicitously in discharging his part. Recalling the passage from the first book of the *Æneid*, in which Neptune chides the winds which, without his authority, have raised a great storm at sea, throwing himself into an appropriate attitude, he broke in with the sonorous lines:

"Tantane vos generis tenuit fiducia vestri,
Jam coelum terramque meo sine numine, Venti,
Miscere et tantas andetis tollere moles?
Quos ego——sed motos præstat componere fluctus."*

Probably Lucien possessed in good measure the dramatic faculty belonging to his race and family, and gave an effective burlesque, set off with all proper gesture and facial play. His expedient, at any rate, drew the electricity from the cloud and discharged it harmlessly. The angry combatants sobered down. Joseph had received full in the face the splash from the tub, which had also drenched his clothes. While the valet was sponging him off he muttered with cooling

* Are you so possessed of confidence in yourselves that you now dare without my sanction, O Winds, to confound heaven and earth and to pile up such masses? Whom I—but first I must quiet the disturbed waves.

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passion, "Anyhow, your god is a big fool (*bien fou*)!"

"But the god," says Lucien, "disarmed, or wishing to appear so, remarked to me in a way pleasantly responsive, 'You always have something that hits the occasion.'"

The scene in the relating is absurdly grotesque, but no doubt was really terrifying. The valet had been not long before in the service of Joseph, and had hurried to the help of his old master when the drenching occurred. But now he gave all the brothers a shock by falling to the floor in a fainting fit, for which probably the quarrel of the magnates which he had just witnessed, gave good excuse. The Bonapartes good-heartedly rushed to the rescue. Joseph hurried to pick him up from the floor; Lucien rang the bell so hard that Rustan came in frightened, to find out what was the matter; while the lips of Napoleon, just visible over the bathtub's edge, ejaculated sympathetically, "Carry off the poor fellow, and take good care of him." Joseph and Lucien, helped by Rustan and a new servant, got the man to his feet, as he slowly recovered. Lucien now

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offered to help the First Consul, but the help was declined. Joseph stood soaked and grumbling (*bougonnant*) in a corner, causing Napoleon to offer him, in a tone more cool than obliging, his own dressing-room to change his clothes; to which Joseph replied still more coolly, that he should change at home. "Are you coming, Lucien?" he asked me. "Did he get a splashing too?" said the First Consul. "No," said I. "Do me the favor, then," said Napoleon, "of waiting for me with Bourrienne. I want to talk with you. I'll be with you in a few moments."

CHAPTER VI

THE QUARREL WITH LUCIEN

THE first part of the battle over the sale of Louisiana was finished. Joseph had been routed. Lucien, though present, had not been active, contenting himself, while his brothers fired the serious volleys with "marking time," so to speak.* He was not to escape, however; his turn had now come.

"I went," he says, "to Bourrienne's cabinet at once, and found that insupportable teetotum (*totillon*) of a private secretary much stirred up at the First Consul's delay. Seeing that he expected to get the reason from me, to avoid the *ennui* of his talk I plunged into a newspaper while waiting to be called. It was half an hour before Rustan appeared with a summons from his master.

* Lucien's word is *peloter*, to play ball, or, idiomatically, to fill up time with something unimportant while one is waiting.

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"As soon as I appeared the First Consul said, employing the affectionate thee and thou (*tutoyant*): 'I wanted to speak to thee without Joseph. I should be very sorry that thou hadst witnessed his manner toward me if we did not all know how irascible he is. Before the world he has so pleasant a way that the rest of us pass for tigers in comparison.' I replied that we all had indulgence for Joseph at such times, knowing his real gentleness, or rather good intentions. The usual quiet of his handsome face, I said, was the shining through of his beautiful soul. 'That's fine, very fine,' said the First Consul, quoting a line from Ariosto."

[Lucien says his brother's affectionate manner almost made him hope for success in his cause as the advocate of the retention of Louisiana; but he was soon undeceived. Napoleon proceeded to give his reasons at some length for wishing to sell Louisiana, which Lucien unfortunately abridges. What he does give, however, well deserves reading.]

"It was certainly worth while, urges Napoleon, first, to sell when you could what you were certain to lose, 'for the English, who

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have seen the colony given back to us with great displeasure, are aching for a chance to capture it, and it will be their first *coup de main* in case of war.' To this I replied that as regards selling what one fears to lose some day, it might do sometimes in private affairs, but not in public. As I looked at the honor of France, it was more disgraceful to sell Louisiana for \$18,000,000 than to let it be taken in war. Frankly, I did not believe England then desired it. If the First Consul were not of my opinion, I did not see why, instead of giving up on such base conditions a colony of such importance, he did not profit by the peace and send troops there, as he had sent them to San Domingo. Napoleon replied, somewhat touched, and dropping the 'thee' and 'thou': 'But you did not believe in my San Domingo expedition.' I replied that I had not been satisfied with the treatment given to Toussaint. 'Well, let me tell you,' said Napoleon, 'I am more ready than I like to be to confess to-day my regret at the San Domingo expedition. Our navy, so inferior to that of our neighbors across the Channel, will always cause our colonies to be

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exposed to great risks.' 'Yes,' said I, 'especially if we force those neighbors to make war on us before we have increased our own navy. All who think as I do rejoice to see that you are giving some thought to that.' 'Yes, of course,' said the First Consul. 'I'm doing what I can. But trust me, our national glory will never come from our navy.' 'But formerly, not long ago,' said I. Here Napoleon broke in impatiently. 'Bah—bah! formerly—but I am speaking of now.' He continued in a tone less sharp: 'You see our land forces have fought, and will fight victoriously against all Europe. But as to the sea, my dear fellow, you must know that there we have to lower the flag—we and all the powers of the continent. America perhaps some day—but I'll not talk of that. The English navy is and long will be too dominant; we shall not equal it.' 'But Colbert proved,' I said; here Napoleon broke in with the rudest abruptness: 'Silence!' (*taisez-vous*). 'Colbert—Colbert! You talk like the Third Consul, Lebrun, who always has Colbert on his tongue, or Sully, or George d'Amboise, all statesmen of the past, who, I assure you, would

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have had a harder time in my place. Know well that the desire to fight England on the sea by no means enters into my thoughts—in the first place, because I am in no condition to command myself. If I have great faith in French valor, I have none the less in my own happy star. I count positively on victory only when I command myself. See the blunders (*sottises*) that have been made when I have been out of the way.'” [This outbreak, so characteristically Napoleonic—his self-confidence escaping conceit only by being so sublimely colossal—greatly scandalized Lucien, who says his brother too often fell into this tone; and cites the names of Hoche, Marceau, Kellermann, Moreau, Brune, Championnet, Bernadotte, Masséna, and the rest, commanders of the fourteen armies of the Republic, as not deserving to be thus depreciated. The First Consul, discussing still further what he called his Louisianicide, in a mocking way, gave a reason for selling which Lucien believes to have been the chief one—the pretended necessity of getting funds ready for the war which he foresaw. This was very repulsive to Lucien, who declares a

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war of conquest was meditated, "for I wish to have it well understood that I do not believe my brother ever made war in spite of himself at any time whatever. I know too well his secret thoughts, particularly at the time I am considering."]

"‘So then,’ said Napoleon, dropping again into an affectionate manner, ‘if I am to believe Joseph, and also what thou sayest, thou wilt range thyself with him against me in case I should submit my plan for selling the much-loved Louisiana.’ Lucien was softened by the affectionate ‘thou,’ but did not recede, whereupon the First Consul bristled again. ‘As you please. Cease the miserable caviling which you and Joseph are at work on night and day, ridiculous for him, and still less appropriate for you. It is not from you that I expect lessons in government. Enough! Forget all you have said about it. I shall contrive to dispense with you. A precious, well-disposed pair of brothers you are!’ I remained silent, says Lucien. His taunting tone of contemptuous superiority was harder to bear than if he had actually assaulted me. I began to think he would give me no further

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chance to return to the matter I had so much at heart. He seemed to wish me to go, turning over papers on his desk, and looking at me askance from under his eyebrows (*en des-sous*) now and then. Forming a plan which was destined to turn out badly, I thought I might bring him back to Louisiana by a little brotherly soothing, which might come in naturally enough after what he had just said about Joseph and me. Responding rather languidly to my affectionate advance, he threw himself into an armchair with a tired air, telling me also to sit down, which I did in a chair close at hand, with a sincere desire not to trouble him though returning *à mes moutons*. Taking his hand, which he abandoned to me listlessly, not answering to the friendly pressure which I gave, 'Believe me well, dear brother,' said I, 'fraternal devotion can not go farther than that which I feel for you.' 'H'm!' he replied. 'Devotion proves itself by deeds when the opportunity comes. I don't at all say that you have always failed me here; but you fail me now on this point to which I attach great importance. But we only waste time. Dispense with your fine prot-

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estations.' 'But let me assure you again,' replied Lucien, 'my devotion is deep enough to sacrifice everything for you, except my duty.' 'Except, you mean, all you please to except,' said the First Consul, scorn once more gathering. 'No, brother,' said Lucien. 'If I believed, for example, this sale of Louisiana would be fatal to me alone, I would consent to it to prove to you the devotion which you doubt. But it is too unconstitutional.'

"Napoleon broke here into a fit of the rasping, sarcastic, almost convulsive laughter to which he sometimes gave way in moments of excitement. It did not come from the open throat (*deployée*), says Lucien, but as if forced from the depths of his chest, cutting off his utterances as he had cut me off. 'Ha-ha-ha! You are drawing it fine. For example!' Lucien began to fear the roughest possible explosion as his brother's words struggled out in the intervals of his cachinatory spasm. 'Ha-ha-ha! For example!' repeated he, catching his breath. 'Unconstitutional! That's droll from you—a good joke—ha-ha!' And the outbursts went on less forced, but not more natural. I sat mute,

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says Lucien, quite stupefied at the irritation which I had unwittingly produced. An expression of ironical and contemptuous rage passed over Napoleon's face following this nervous and uncanny gaiety. Conscious, says Lucien, that I deserved his esteem more than his contempt, I was determined not to be driven from my word 'unconstitutional,' by which I had only meant to justify myself, or at least to soften my resistance to his will. I coolly said, therefore, I was astonished that he could treat so mockingly so great a subject. 'Do let that rest,' he cried, shrugging his shoulders. 'How have I touched your constitution? Answer.' 'I know well,' said Lucien, 'you have not done so; but you know well that to alienate any possession of the Republic without the consent of the Chambers is unconstitutional. The expression of such a thought by the august representative of the national sovereignty, who until now has been its most glorious defender, is a subject for astonishment. In a word, the constitution——'"

The last phrase brought upon Lucien a most emphatic "Clear out!" (*allez-vous prom-*

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ener), the wrathful Napoleon just stopping short of a bodily attack. The brothers, we may be sure, had by this time sprung to their feet.

"These precise words," says Lucien, "were then thundered forth: 'Constitution! Unconstitutional! Republic! National sovereignty! Great words—fine phrases! Do you think you are still at the club of St. Maximin? We are past that, you had better believe. *Parbleu!* You phrase it nobly. Unconstitutional! It becomes you well, Sir Knight of the Constitution, to talk that way to me. You hadn't the same respect for the Chambers on the eighteenth *Brumaire*.'* Here Lucien broke in in a tone as high as Napoleon's: 'You well know, my dear brother, that your entry into the Five Hundred had no warmer opponent than I. No, I was not your accomplice, but the repairer of the evil which you had done to yourself; and that at my own peril, and with some generosity on my part because we did not

* Lucien, who at the little village of St. Maximin, in southern France, had been a Jacobin leader, had helped bring the Directory to an end November 9, 1799.

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then agree. Not to boast, I may add that no one more than I in Europe has disapproved the sacrilege against the national representation.' Lucien says he read the effect of his words in his brother's eyes, which flamed like great diamonds brilliant in themselves. He declares he was not angry himself; and his blood being up, he did not fear to expose himself to the First Consul's wrath. He repeated firmly: 'Yes, unconstitutional attempt upon the national sovereignty.' 'Go on—go on,' cried Napoleon, 'that's quite too fine a thing to be cut short, Sir Orator of the clubs! But at the same time take note of this, you and Monsieur Joseph, that I shall do just as I please; that I detest without fearing them your friends the Jacobins, not one of whom shall remain in France if, as I hope, things continue to rest in my hands—and that, in fine, I snap my fingers at you and your national representation!'

"Greatly scandalized," says Lucien, "as may well be believed, at this outburst, for I was still in all the *naïveté* of my republicanism, I replied as coolly as I could: 'On my side, Citizen Consul, I do not snap my fingers

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at you, but I well know what I think about you.' 'What you think about me, Citizen Lucien? *Parbleu!* I am curious to know. Out with it.' 'I think, Citizen Consul, that having sworn to the Constitution of the eighteenth *Brumaire*, as president of the Council of Five Hundred, and seeing you despise it thus, if I were not your brother I would be your enemy.' 'My enemy!' thundered Napoleon. 'Try it once. That's rather strong,' and he made a movement toward me as if to strike me a blow. To this day I thank God that he did not strike me, for I would not have endured it. He paused, however, before the coolness with which I faced him. 'Thou my enemy!' he screamed. 'Look, I would dash you to the earth as I do this box.' He had in his hand his snuff-box, in the lid of which was Isabey's miniature of Josephine. This he flung violently to the floor. It did not break, being received on the carpet; but the portrait fell out of the cover. I hastened to pick it up, and presenting it to Napoleon in a manner which I forced myself to make respectful, said: 'It's too bad. It's your wife's picture, not your brother, that

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you have broken.'” Lucien says he now retired backward toward the door, not to conform to an etiquette as yet not established at the Tuileries, but to keep in his eye this friend or enemy, as the case might be. The First Consul, however, did not follow up his beginning. Instead, he carefully picked up the box, and Lucien saw through the door, which he left open as he went away, that Napoleon was trying to put the picture back into the lid. This made him think his brother was not so angry as he wished to appear.*

“Turning it over, I made up my mind that Napoleon was trying to terrify me by this spectacle of extreme wrath, hoping to overcome my opposition. To this view I am all the more inclined, because my brother often, especially in scenes where he figured with splendor, posed as a great actor. Not at all that I believe, as some have alleged, that he

* Josephine, West Indian creole and very superstitious as she was, was much disturbed by this incident. The impending divorce was already casting its shadow before. She consulted a famous fortune-teller, Mlle. Le Normant, as to what it was best to do, who suggested covering the miniature which had run such risk with a duplicate by the same artist. This was done; the box with the double portrait is said to be still extant.

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shut himself up with our common friend, the great actor Talma, to prearrange the effect of such and such oratorical gestures, or, indeed, of the folds and carriage of the imperial mantle. No; in my view, he was charged with the dramatic instinct, but his acting was always offhand (*improvisé*), based on the circumstances in which he found himself. I ought, however, to confess that this scene of the broken snuff-box was so well played in its fury as to puzzle me about his real feeling. I am sure that what I said displeased him deeply."

"What else took place," says Lucien, "as regards the sale of Louisiana has no more personal relation to me." He makes a brief reference to another scene between the First Consul and Joseph, which indicates that the latter did not at all regard himself as routed at the engagement of the bath-tub. At the end of an argument the First Consul had become angry, and enlarged on his grievances, before which Joseph showed himself unabashed. He drove at his brother, on the contrary, with such vehemence that Napoleon was forced to leave the field, seeking refuge

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in the apartments of Josephine. But out of all this hot discussion, in which the fate of a colony was concerned, nothing came, says Lucien, except a little greater haste in the execution of his calamitous plan—the sale of Louisiana for a few millions, destined to be applied to an insensate strife against Europe.

Lucien concludes, writing at a time long after, in a tone which will seem to all fraternal in spirit, and just and moderate in its judgment: "In spite of all the harm done me by this brother of mine, who became all-powerful, and in spite of the tyrannical acts with which his glorious memory has too justly been reproached, I believe that far from having a tyrant's heart his nature was fundamentally good. Pushed to an extreme of power which he did not desire himself, he might with impunity have done much more than he did, encouraged and approved by flatterers. I firmly believe he deserves thanks as much, and more even, for the evil which he did not do, having all power to do it, as for the good which can really be ascribed to him in many of the startling crises of his career."

CHAPTER VII

LIVINGSTON AT PARIS

THE great event was at hand ; but before describing the critical moment of the transfer, it will be interesting to take a look at the envoy of America, as he waits in that troubled and excited world of Paris, watching and laboring for an issue to the affair which may be of benefit to his country. Jefferson never did better than in the selection of Robert R. Livingston to represent America in this crisis. Of a distinguished line in which Scotch and Dutch were blended, he himself from an early age had shown remarkable powers and rendered extraordinary public services. He had been on the Committee of Five for drafting the Declaration of Independence ; he had presided at the convention at which New York adopted the Federal Constitution, bringing about the favorable

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result by his influence. As Chancellor of New York he had administered the oath to Washington at his inauguration; and first of men had hailed him as he stood in the supreme place, "Long live George Washington, President of the United States!" In the full strength of his powers he was now set to conduct a most arduous and embarrassing negotiation, which he carried through in a manner to confirm his title to high fame.



Wm. H. Livingston

When he finally left Europe, in 1805, Napoleon assured him of his regard, bestowing upon him one of those *tabatières* (snuff-boxes) which in that day appeared now and then in connection with interesting events. This snuff-box, too, like the one described by Lucien, was set magnificently with diamonds, and had in its lid a miniature by Isabey—this time a picture of Napoleon himself. American distinctions, too, were not wanting, and the

Livingston at Paris

Commonwealth of New York could not have chosen better then to set a statue of him—as she did at a later time—in the hall at Washington, as one of her two typical great men.

But when Livingston began, in the fall of 1801, his work as envoy in Paris, the path before him was beset indeed by thorns. Of his course, his letters to the administration, contained in the *Annals of Congress*,* give a full account, and are often interesting reading.

As has been mentioned, an important part of the work expected from Livingston was to obtain payment of the spoliation claims—the reimbursement of American merchants for property taken from them by the French when the two nations had been at peace. France had admitted the justice of the claims, but payment was withheld. In addition to this business, the envoy was charged with the negotiation for the mouths of the Mississippi, New Orleans, and the Floridas—a matter which almost at once, when in November the news was spread that France was treating

* *Seventh Congress, second session, Appendix.*

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with Spain for the cession of Louisiana, became of the utmost importance.

December 10th, Livingston writes Madison, he has heard the story, but that Talleyrand, Minister of Foreign Affairs, has denied it. "He seemed at first inclined to waive the subject; but when he found I pressed more closely, he admitted that it had been a subject of conversation, but nothing had been concluded or even resolved on in that affair. I left him with a hint that perhaps both France and Spain might find a mutual interest in ceding the Floridas to the United States." Lucien Bonaparte's treaty for the cession had been arranged at San Ildefonso March 21st preceding; but it may palliate the prevarication of Talleyrand, that the treaty when he spoke, and long after, lacked the signature of the king, and therefore was unratified. Livingston finds abundant reasons for believing the cession has been made, and that an armament is preparing to occupy Louisiana. "By the secrecy and duplicity practised relative to this object, it is clear to me that they apprehend some opposition on the part of America to their plans. But I

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have declared that as long as France conforms to the existing treaty between us and Spain (Godoy's treaty of 1795), we do not consider ourselves as having any interest in opposing the exchange." * Livingston's thought seems to be that France as a neighbor will be as little dangerous as Spain, but as time goes on the tone in his papers changes. The famous Bernadotte, it is reported, is to command the Louisiana expedition, and has asked for ten thousand men. "I have pressed an explanation on the subject, but have received no answer." † The exchange others think can not be looked upon as a matter of indifference. "Has it occurred to you," writes Rufus King, Minister to England, to Madison, "that the French Government will probably send thither a large body of people from France, and that it may add to them all the refractory and discontented blacks and persons of color of their West Indian colonies?" ‡ Throughout the spring of 1802 Livingston is on the alert, though, as will presently be seen, he is less apprehensive as to a good result than others. He besets Talleyrand incessantly,

* January 18, 1802.

† February 20th.

‡ February 27th.

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but is forever baffled by the minister's indication. From other sources he learns of the preparation of Bernadotte's expedition, and recommends the occupation of Natchez, to serve in case of need, as a substitute for New Orleans. "No time should be lost in throwing obstructions in the way." *

During the summer Livingston began the writing of a series of papers elaborately setting forth the inexpediency for France of an effort to seize and colonize Louisiana; and insisting, if the cession from Spain were completed, that the territory ought to be sold to the United States. These papers are well-reasoned and vigorously expressed documents, thoroughly worthy the attention of the student of this affair.† Livingston was assured by Joseph Bonaparte, with whom he became well acquainted, that they came under the eye of Napoleon. One thinks that the good opinion which Napoleon had of Livingston must have been largely based upon the impression made upon him by these able discus-

* May 28th.

† See Appendix A for a specimen of Livingston's work in this kind.

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sions. Though it was widely believed that the First Consul took counsel only of himself, it was not at all the case that he neglected in reaching his conclusions such lights as he might gain from the sensible and well-informed. Meantime the envoy had no reason to feel that any outcome favorable to his country was likely. It became known that Victor, a general still more vigorous, had replaced Bernadotte at the head of the expedition, and that preparations were nearly complete. Talleyrand gave assurance that no arrangement with the United States was possible, and Livingston thus voiced his own convictions to Madison at home: "There never was a Government where less could be done by negotiation than here. There is no people, no legislature, no counselors. One man is everything. He seldom asks advice and never hears it unasked. His ministers are mere clerks, and his legislature and counselors parade officers. Though the sense of every reflecting man about him is against this wild expedition, no one dares to tell him so. Were it not for the uneasiness it excites at home it would give me none, for I am per-

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suaded that the whole will end in a relinquishment of the country, and transfer of the capital to the United States. Their islands call for much more than France can ever furnish. The extreme *hauteur* of this Government to all around them will not suffer peace to be of long continuance." *

Livingston's expressed conviction in this passage that the affair must end in a relinquishment of the whole territory by France, and a transference of it to us, is an interesting flash of prophecy. He saw the approach of all-absorbing European war. Without his knowledge, too, while he wrote, those potent and direful agents, the blacks and the yellow fever, were at work in San Domingo. When he next wrote to his chief the outlook for America was clearing; from the misfortunes of France great benefits were to accrue to us. "The Mississippi business, though all the officers are appointed, and the army under orders, has met with a check. The army under orders is obstructed for the moment. Events may possibly arise of which we may avail ourselves." † At the moment when he

* September 1st.

† October 28th.

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wrote Le Clerc was at the point of death, and scarcely 1,200 of the host he had commanded still kept their feet. A passage follows concerning an interview with Joseph Bonaparte, who plainly, from what we know of his real views on the alienation of Louisiana, is guarded and politic in his talk with the American.

“I had, two days ago, a very interesting conversation with Joseph Bonaparte, having put into his hands a copy of the Memoir on Louisiana which I sent the Secretary of State. I took occasion to tell him that the interest he had taken in settling the differences between our respective countries had entitled him to our confidence, and that I should take the liberty to ask his advice in matters that were likely to disturb the harmony that subsisted between our respective republics. He seemed pleased at the compliment, and told me that he would receive with pleasure any communication I could make; but as he would not wish to appear to interfere with the minister, he begged that my communication might be informal and unsigned—exactly what I wished, because I should act with less

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danger of committing myself, and, of course, with more freedom. He added: 'You must not, however, suppose my power to serve you greater than it actually is; my brother is his own counselor; but we are good brothers; he hears me with pleasure; and as I have access to him at all times, I have an opportunity of turning his attention to a particular subject that might otherwise be passed over.' I then asked him if he had read my notes on Louisiana. He told me that he had, and that he had conversed upon the subject with the First Consul, who, he found, had read them with attention; that his brother had told him he had nothing more at heart than to be on the best of terms with the United States." Whether in this interview Joseph was quite frank may well be doubted; but it is pretty good evidence that the First Consul and his *entourage* thought it worth while to weigh well Livingston's words.

The sky still continued dark; the expedition was still threatened; the best that Livingston could write at the end of the year was: "Do not absolutely despair."* The news

* December 28d.

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of the abrogation of the right of deposit enjoyed by Americans at New Orleans, the act of the intendant, Morales, which so aroused America toward the end of 1802, stirred Livingston to vigorous remonstrance. Regarding the French occupancy as now inevitable, seeking the best terms he could, he urged with all his might the conclusion of a treaty through which the United States might have what she desired, the Floridas and the mouths of the Mississippi, adding also this recommendation, which deserves particular notice: "Let France cede to the United States so much of Louisiana as lies above the mouth of the river Arkansas. By this a barrier will be placed between the colony of France and Canada, from which she may otherwise be attacked. . . . Let her retain the country lying on the west of the Mississippi and below the Arkansas River—a country capable of supporting fifteen millions of inhabitants."* It is noteworthy, indeed, that only in this suggestion, repeated by him at other times, does Livingston manifest any thought for or interest in the great Northwest, the coming

* January 10, 1803.

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of which to us has proved in subsequent years so immeasurably the most important part of the bargain. It is also noteworthy that no other statesman than Livingston makes mention of it as a thing desirable; and examining the matter more closely, it is interesting to see that even Livingston at first had no premonition of the greatness and wealth that was to come to pass in that unbroken wilderness. This is proved by a passage in a letter written soon after.* "M. Talleyrand asked me this day, when pressing the subject, whether we wished to have the whole of Louisiana. I told him no; that our wishes extended only to New Orleans and the Floridas; that the policy of France should dictate (as I had shown in an official note) to give us the country above the river Arkansas, in order to place a barrier between them and Canada. He said that if they gave New Orleans the rest would be of little value." In this opinion of Talleyrand, Livingston at that moment seems to concur. If the United States should possess the vast Northwest it would be an advantage to France as a barrier against

* April 11th.

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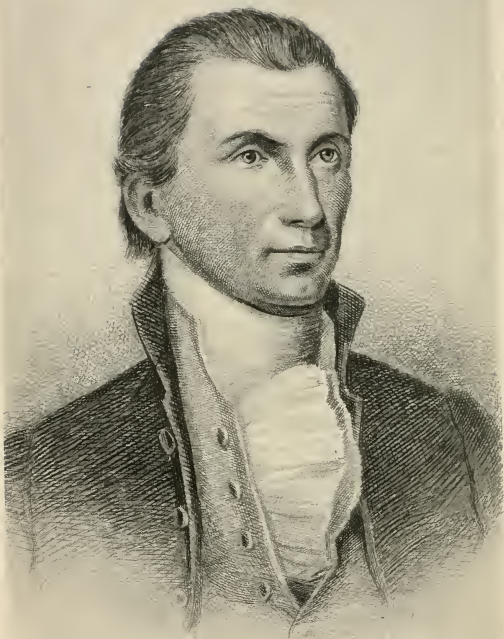
the British, though scarcely an advantage to the United States. We shall see, however, that at a time close at hand the eyes of Livingston were opened—that almost alone in his generation, with noble, prophetic inspiration, he foresaw and declared the development that was to come.

Livingston's communications to Talleyrand in the early months of 1803 put the American view with great force and courage. We want the Floridas and New Orleans; the unobstructed navigation of the Mississippi is indispensable. Let France beware, for her policy will certainly result in disaster; in the draining of her population to people a waste, in the sacrifice of armies and resources, in the final surrender of Louisiana, in the loss to France of the friendship of the United States. Your present policy, *Monsieur le Ministre des Affaires Étrangères*, can result in no other way than, in Jefferson's phrase, "to marry us to the British fleet and nation." With such representations Livingston pressed Talleyrand; he opened also other channels of communication with the First Consul—through Joseph Bonaparte, through Barbé-Marbois,

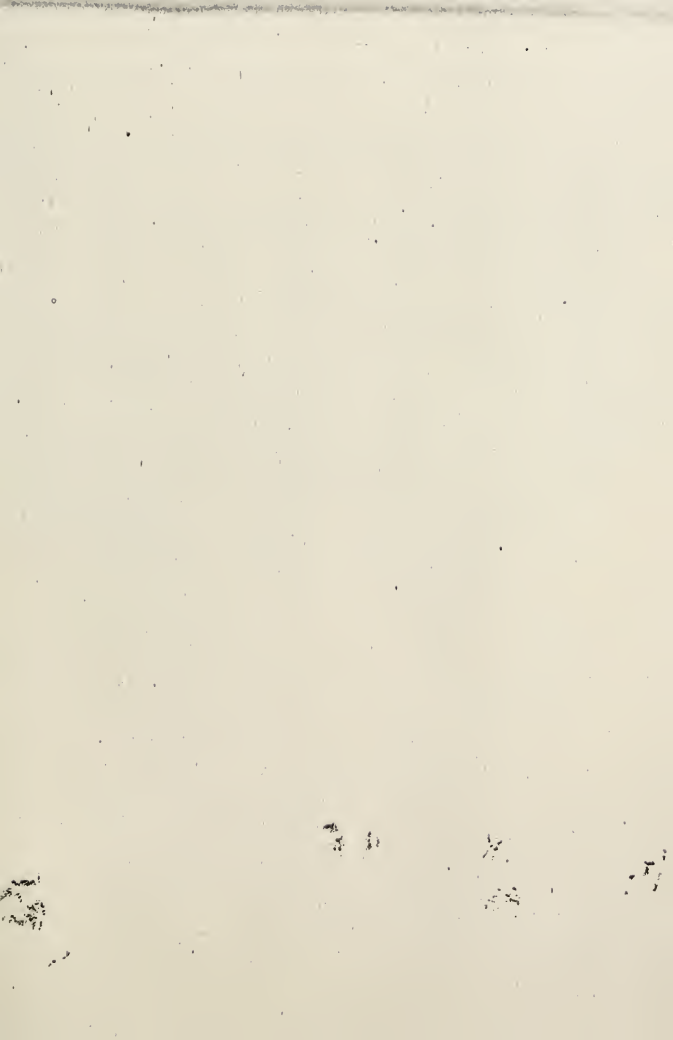
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Minister of the Treasury (who had served in America, and who was an old friend), and through Bernadotte. The latter, having been replaced by Victor in command of the Louisiana expedition, was now expecting to sail at once to America as envoy to Washington. Spain, too, was not neglected; through the Spanish ambassador at Paris pressure was brought to bear upon Madrid against the course which things were taking.

The American representative had nothing to reproach himself with as regarded the discharge of his duty; and it was natural that he should have felt, with anxiety and sorrow, that, after all his work and exasperation in struggling with the baffling duplicity of Talleyrand's diplomacy and the headstrong purpose of the First Consul, he found his consideration was sinking both in France and America, and that he was about to be superseded. Bernadotte was to go as envoy to Washington to negotiate matters there, which he in Paris should have been empowered to take care of. He complains of the indefiniteness of his instructions; and when at last news arrives of the appointment



James Monroe



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of James Monroe as Minister Extraordinary, set directly over his head, no wonder that to a man of such spirit it became an occasion of wrath. As the reader knows, Jefferson, in appointing Monroe, had especially in view the quieting of excitement in the West and South over the closing of the Mississippi by Morales ; to name a popular man for a special mission, it was thought, would have a good effect, and, as we have seen, it proved to be an admirable stroke of policy. But Livingston, three thousand miles distant, receiving news only after months of delay, could not know all this, and it is natural that in his correspondence at this time there should be touches of grief and temper. "I can not but wish, sir, that my fellow citizens should not be led to believe from Mr. Monroe's appointment that I had been negligent of their interests, or too delicate on any of the great points entrusted to my care. I trust that a communication of my notes to some of them would show that I had gone as far as possible for me to go, and perhaps further than my instructions would justify." *

* March 18th.

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But Livingston's long labor was about to end, the *dénouement* being now at hand of the knot which had been so sorely perplexing. On the 11th of April Talleyrand startled the envoy by the inquiry whether the United States would buy the whole of Louisiana, and what price it would be willing to pay. What lay back of the changed attitude of the minister the narrative of Lucien as to the determination which the First Consul had at this time reached, makes sufficiently plain. Livingston declares he assured Talleyrand "that we were not disposed to trifle; that the times were critical, and though I did not know what instructions Mr. Monroe might bring, I was perfectly satisfied they would require a precise and prompt notice; that I was very fearful, from the little progress I had made, that my Government would consider me as a very indolent negotiator. He laughed, and told me that he would give me a certificate that I was the most importunate he had met with."

With this little touch of good nature—rare enough, no doubt, in this arch schemer—Talleyrand steps off the scene, so far as our

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story is concerned. Now that a new policy was to be followed, Napoleon had a helper at hand whom he thought more trustworthy. Livingston, too, retires from the first place, for Monroe had arrived charged with the latest purposes of the administration. Livingston's work had been well and faithfully done, and no chapter of our diplomatic history is more memorable and interesting than the long struggle which preceded the Louisiana settlement. His work as a man of affairs was not less important than as a statesman. Returning to America, after an interval, he became the main support of Robert Fulton in the application of steam to locomotion, one of the most momentous of human inventions. His life, full of illustrious service, ended in 1818.

CHAPTER VIII

LOUISIANA SOLD

WHAT may be called the secret history of Napoleon's determination to sell Louisiana has been sufficiently dwelt upon ; so, too, the battle of Livingston, so long hopeless, in the diplomatic closets at Paris. Returning to the public aspects, we have fortunately an authority to follow, of high character, whose opportunities for knowledge were of the best. François, Marquis de Barbé-Marbois, had been before the Revolution Consul-General in the United States, marrying there an American wife and enjoying the friendship and respect of many prominent men. He became afterward civil administrator of San Domingo, whence returning to France he was made mayor of his native city, Metz, and during the Revolution a member of the Council of Ancients. As the storm grew

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violent, his moderate opinions caused his exile to Cayenne. With the fall of the Directory he was recalled, receiving at once a high position. He was made Minister of the Treasury through the influence of the Third Consul, Lebrun, and at once won the confidence of Napoleon, who now, as his Louisiana perplexities became embarrassing, took him into his counsels and entrusted him, rather than Talleyrand, with the management of the affair. Barbé-Marbois, though in official life, grew less friendly to Napoleon at a later time, and became Minister of Justice under the *régime* that succeeded him. In his after life, which lasted until 1837, he wrote a history of Louisiana and its alienation from France, which is a book of marked ability.

Following the account of Barbé-Marbois,* the declarations of Napoleon, who had, we know, just before fought the battle out with Joseph and Lucien, are direct and confident. He consulted his ministers; but before calling this conference he had denounced the claims of England to be "mistress of the seas," and had said "to free the world from the com-

* History of Louisiana, translation, pp. 260, etc.

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mercial tyranny of England it is necessary to oppose to her a maritime power which will one day become her rival. It must be the United States. The English aspire to dispose of all the riches of the world. I shall be useful to the entire universe if I can prevent them from dominating America as they dominate Asia."

On Easter Sunday, April 10, 1803, Napoleon, having attended service, summoned Barbé-Marbois and Decrès, Minister of the Marine, who also had had an American experience. He addressed to them his request for advice in what was really a demand for their assent to his plans, "made with vehemence and passion," which did not invite argument. The first declaration of his purposes is thus given by Marbois :

"I know the worth of Louisiana and I have wished to repair the error of the French negotiator who abandoned it in 1762. I have recovered it on paper through some lines in a treaty ; but I have hardly done so when I am about to lose it again. But if it escapes me, it shall one day be a dearer cost to those who force me to give it up than the

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cost to those to whom I will surrender it. The English have successively taken from France, Canada, the Isle Royal, Newfoundland, Acadia, and the richest territories of Asia. They are intriguing and disturbing in San Domingo. They shall not have the Mississippi, which they covet. Louisiana is nothing in comparison with their aggrandizement in all parts of the globe; but the jealousy they feel because of its return under the dominion of France warns me that they intend to seize it, and it is thus they will begin the war. They have already twenty vessels in the Gulf of Mexico. They swagger over those seas as sovereigns: and in San Domingo, since the death of LeClerc, our affairs are going from bad to worse. The conquest of Louisiana will be easy if they will only take the trouble to descend upon it. I have not a moment to lose in putting it out of their power. I do not know but what they are there already. That is their usual way of doing things: and as for me, if I were in their place, I certainly would not have waited. I wish to take away from them even the idea that they will ever be able to

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own this colony. I contemplate turning it over to the United States. I should hardly be able to say I had ceded it to them, for we are not yet in possession of it. But even a short delay may leave me nothing but a vain title to transmit to these Republicans, whose friendship I seek. They are asking me for but a single city of Louisiana, but I already regard the whole colony as lost, and it seems to me that in the hands of this rising power it will be more useful to the politics and even to the commerce of France than if I attempt to keep it."

Decrès opposed the sale, but Barbé-Marbois favored it, arguing the matter at length, ably and with full knowledge of the situation. Napoleon broke off the conference for the time, but at daybreak of the 11th, Barbé-Marbois, being suddenly summoned, found Napoleon busy with despatches which had just arrived from England, giving news that both on land and sea warlike preparations were being pushed with extraordinary rapidity.

"Irresolution and deliberation are no longer in season," he broke out. "It is not

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only New Orleans I will cede ; it is the whole colony, without any reservation. I know the value of what I abandon, and I have sufficiently proved the importance I attach to this province, since my first diplomatic act with Spain had for its object the recovery of it. I renounce it with the greatest regret. To attempt obstinately to retain it would be folly. I direct you to negotiate this affair with the envoys of the United States. Do not even await the arrival of Mr. Monroe ; have an interview this very day with Mr. Livingston ; but I require a great deal of money for this war, and I would not like to commence it with new taxes. For a hundred years France and Spain have been spending money in Louisiana for which its trade has never indemnified them. . . . I will be moderate, in consideration of the necessity in which I am of making the sale. I want 50,000,000 francs, and for less than that sum I will not treat ; I would rather make a desperate attempt to keep these fine countries. To-morrow you shall have your full powers."

Napoleon paused here, but when one of his hearers, probably Marbois himself, spoke

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of the difficulties of selling "what the Germans call souls," he continued: "There you go, with your ideology—the rights of nature and of man. But I need money to make war on a nation which has it in abundance. Send your doctrines to London. I am sure they will be the object of great admiration there—and that they will not pay the least attention to them when it is a question of seizing the best parts of Asia." Here no doubt, though Marbois does not report it, came the hard scornful laugh.

"Perhaps it may be objected," he went on, "that the Americans will be found too powerful for Europe in two or three centuries. But my foresight takes no count of terrors at a distance. Moreover, you can look to the future for dissensions in the bosom of the Union. The confederations which are called perpetual only endure until one of the parties to the contract finds reason to break it. It is against present dangers to which we are exposed by the colossal powers of England that I wish to provide a safeguard."

Marbois making no reply, Napoleon con-

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tinued : " Mr. Monroe is on the point of arriving. To this minister, going two thousand leagues from his constituents, the President must have given, after defining the object of his mission, secret instructions, more extensive than the ostensible authorization of Congress, for the stipulation of the payments to be made. Neither this minister nor his colleague is prepared for a decision which goes infinitely beyond anything that they are about to ask of us. Begin by making them the overture without any subterfuge. You will acquaint me day by day, hour by hour, of your progress. The cabinet of London is informed of the measures adopted at Washington, but it can have no suspicion of those which I am now taking. Observe the greatest secrecy, and recommend it to the American ministers ; they have not less interest than ourselves in conforming to this counsel."

Marbois began conferences at once with Livingston, who had no power to act. The first object of Livingston's mission, it will be remembered, had been to obtain satisfaction for what were known as the French spoliation claims—demands of payment for damages

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inflicted upon American merchants in John Adams's time, when warlike operations between the United States and France actually began. The postponements and superciliousness of Talleyrand had irritated Livingston much, and he felt at first that the new propositions as to Louisiana were only to gain time. The two negotiators, however, got at last upon the topic of the amount to be paid, Livingston regarding as excessive anything beyond 30,000,000 francs, to which, however, might possibly be added a sum to be paid as indemnity to Americans for the spoliation. Though Napoleon had first mentioned 50,000,000 francs as a proper amount, he afterward put it at 100,000,000, a sum which Marbois believed excessive. In the midst of the bargaining Monroe arrived at Havre, and reached Paris on April 12th. Livingston was still hopeless, in spite of the representations of Marbois, and declared that he wished the proposition made by Ross in the Senate, to descend upon New Orleans with an army, had been adopted. "We must use force. Let us first acquire the country and negotiate afterward."

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Next day Marbois met the two Americans, to both of whom he was an old friend. In Livingston's letter of that date is a graphic touch, telling how, as the two Americans were at dinner, Marbois was descried from the window walking in the garden, and at once invited in. The conference was greatly helped by their pleasant relation, though each negotiator had careful regard for the interests of his Government. As the First Consul's determination became apparent, to part with the whole of Louisiana, the Americans were astonished. The negotiation had three objects: First, the cession; second, the price; and third, the satisfaction of the spoliation claims. It was determined to make three treaties. As to the cession, Monroe and Livingston were embarrassed by the fact that their instructions related only to the mouths and east bank of the Mississippi; also, that there was no opportunity for ascertaining the disposition of the people of Louisiana. They soon, however, took the enlarged responsibility, going so far as to augment the sum they had been authorized to offer. There was no time for delay; decision must come at

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once or the English would be at New Orleans. The American envoys were at first troubled by the vagueness of the boundaries of the territory to be ceded, to a large extent utterly unexplored. This they became reconciled to; and when Marbois spoke of the indefiniteness to Napoleon, he bluffly declared "that if an obscurity did not exist it would be well to put one there."

A stipulation which Marbois says was proposed by Napoleon himself, provided that the Louisianians should straightway be incorporated into the Union, with all the rights of American citizens. When left to his natural disposition he was, says the minister, always inclined to an elevated and generous justice. "Let the Louisianians know," he cried, "that we separate ourselves from them with regret; that we stipulate for everything they can desire; and let them hereafter, happy in their independence, recollect that they have been Frenchmen, and that France in ceding them has secured for them advantages which no European power, however paternal, could have afforded. Let them retain love for us; and may our common

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origin, language, and customs perpetuate the love."

Marbois dwells upon the treaty of cession article by article. The pledge given to Spain at San Ildefonso, that Louisiana should never be alienated by France without Spain's consent, he declares was disregarded because despatch was imperative, and there was no time to consult Madrid. Really, Napoleon now assumed that Spain belonged to him to do as he pleased. The time was not far distant now when Joseph Bonaparte was to be seated upon the Spanish throne.

The matter of the price was made the subject of a second convention, signed the same day. Marbois put the sum at 80,000,000 francs. To this the Americans at last agreed, on condition that 20,000,000 of the sum should be applied to the extinction of the spoliation claims. These claims were made the subject of a third agreement. All three agreements were arranged and ready for signing April 30th, the conferences between the three friends being throughout harmonious and frank to a degree unusual in diplomatic affairs. Four days were taken for

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the preparation of copies in French and English, so that the actual signing was slightly deferred.*

Livingston in especial showed himself to be a good and able man throughout the negotiation. He alone had been ready to take the whole of Louisiana, a thing which Madison recoiled from, and which the people of the Union did not at first favor. Now that all was successfully accomplished, there came an interesting moment, which Livingston, rising beyond himself, with a vision broader than that of any other statesman of the time, signalized by an eloquent outburst, full of a spirit nobly prophetic. Says Marbois: "As soon as they had signed they rose, shook hands, and Livingston, expressing the satisfaction of all, said: 'The treaty we have signed has not been brought about by finesse nor dictated by force. Equally advantageous to both the contracting parties, it will change vast solitudes into a flourishing country. To-day the United States take their place among the powers of the first rank. Moreover, if

* See Appendices B and C for Napoleon's order for the sale, and the text of the treaties of cession and payment.

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wars are inevitable, France will have in the new world a friend increasing year by year in power, which can not fail to become puissant and respected on all the seas of the earth. These treaties will become a guarantee of peace and good-will between commercial states. The instrument we have signed will cause no tears to flow. It will prepare centuries of happiness for innumerable generations of the human race. The Mississippi and the Missouri will see them prosper and increase in the midst of equality, under just laws, freed from the errors of superstition, from the scourges of bad government, and truly worthy of the regard and the care of Providence.’”

But shall we err if we say that in this great transaction the supreme figure is that of the prince of adventurers, who, in connection with the affair, declared himself for the first time, independent of his family, of his Parliament, and of most of his advisers, grasping at the imperial scepter, which a few months later he was destined fully to possess? Though the statesmanship of Jefferson in this juncture was creditable both to

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his head and to his heart, his weight in bringing to us Louisiana was not great. Of the negotiators Livingston deserves high fame for persistency, courage, and far-reaching views. It may well be believed that his pleas and remonstrances, scanned by Napoleon, affected the great result. He was chagrined, as we have seen, that to some extent his credit was eclipsed by Monroe, who arrived on the scene at the last minute only. He had labored, and another had entered into his labors. Monroe, on his part, declared that neither he nor Livingston affected the great result. It was the First Consul who was all in all. Napoleon, so haughtily great and self-confident, was not slow to assume the credit. When he signed the treaties he declared that this accession of territory which he had bestowed "assures forever the power of the United States, and I have given England a rival who, sooner or later, will humble her pride."

On May 22d Napoleon signed the ratification, and on that day hostilities began in the great new war. The 60,000,000 francs of purchase-money, which he had at first in-

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tended for peaceful uses, having projected the construction of five canals, were applied to preparations for the invasion of England, which came to naught.

If the present narrative is up to this point trustworthy, it is plain that the coming to the United States of Louisiana, the western half of the vast Mississippi Basin, was a piece of French or Napoleonic statesmanship, Jefferson and his negotiators obtaining, to their astonishment, something for which they had neither labored nor asked—something, indeed, which they had not at all desired—an acquisition regarded as embarrassing far more often than as a thing to be welcomed. If Louisiana had not come to us through Napoleon, would it have come to us at all? Perhaps so—probably so. Americans of our time, cognizant as they are of what has come to pass through the unmeasured dynamic forces wrapped up in our Union, easily take on the belief that nothing can stop us. That the Union should gain in the eighteenth century the eastern half of the Mississippi Basin was a thing inevitable; just as inevitable

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was the gaining of the western half, no matter in whose hands it lay—and so on and on, Texas, Oregon, California, Alaska, the Philippines—to absorb them all is but our manifest destiny, a consummation foreordained for us. But disengaging ourselves for a moment from the national enthusiasm, let us inquire coolly what would have been likely to happen if Napoleon had been foolish, and persisted in his plan of building up a New France in America. He came to believe that he could not keep such a colony out of the hands of England. Livingston, too, believed that a consequence of persistence on the part of Napoleon would be an English occupation of the west bank of the Mississippi. He speaks of a “Gibraltar” at Pensacola answering to Quebec, and a close and populous *cordon* of British settlements uniting the two strongholds. No two men were better able than they to judge. Certainly it was probable. We should have had a Canada to the west of us, as we have a Canada to the north; and England, it may well be noted, is a different kind of a neighbor from Spain or even France. It is an old cry that Canada

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must inevitably fall to us; yet Canada was never less likely to fall to us, never more impervious to our approaches, never more set and determined in her British loyalty, than at the present moment. Can we be sure that a Canada to the west of us would have been any more yielding before the United States approach? And if unyielding, what a restraint it might have been upon our expansion!

But nothing is idler in the affairs of nations and of individuals than speculation upon what might have been. Napoleon tossed into the arms of the unexpectant and greatly astounded Jefferson the possession which France could not keep, believing it to be the best disposition which could be made of it, looking to the interests of France. Could those actors only have seen what a century was to bring forth!

CHAPTER IX

THE PARTY WRANGLE OVER THE PURCHASE

JEFFERSON was greatly embarrassed when news arrived from his envoys. A meteorite by the sudden nod of an Olympian had fallen at his feet, he meanwhile scarcely more than a surprised spectator. Instead of the river-mouth, the one town, and the little stretch of territory he had sought to gain, an area doubling that of the United States had come into his hands; instead of the \$2,000,000 which Monroe had been authorized to spend, \$15,000,000 were called for. Had there been no hostile criticism, the perplexity of the President would have been great; but the opposition was alert and able, and made the most of its opportunity. The Federalists, whose numbers and influence, though much diminished, were still formidable, denounced and ridiculed the transaction in the

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most unmeasured way. That the opposition would be energetic and crafty, demanding of the administration a summons to all its resources, was plain from what had preceded. At the end of 1802, at the time of the edict of Morales, Gaynor Griswold, of New York, leader of the Federalists in the House of Representatives, had demanded papers and documents relative to the conditions of the cession of Louisiana by Spain to France; and when the demand was denied by the majority, he forthwith introduced resolutions to the following effect: That the United States were entitled to the free navigation of the Mississippi; that right having been obstructed by Morales, it was the duty of the House to inquire how it might be restored and maintained. The tone of the resolutions was so zealous and peremptory that the Democrats feared a stealing of their own thunder. What if the West should come to regard the Federalists as the special champions of their interests! It was a poaching on the Democratic preserves that must be at once headed off. Griswold's resolutions were voted down. The two parties, indeed, were alike in their

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aim; but the Democrats, influenced by the spirit of Jefferson, were for mastering the



James Ross

difficulty by means of negotiation, while the Federalists were ready for war. Now it was, that while Jefferson appointed Monroe, sending him to France and Spain with his \$2,000,000, to get round the trouble by a bargain, Ross, of Pennsylvania, the Federalist, moved, as has been narrated, in the Senate the

50,000 men and \$5,000,000 for the immediate seizure of New Orleans and the river-mouth.

In dealing with the danger which the approach of France brought to the United States, Jefferson and his party had shown a wiser and humaner spirit than did the opposition. Now in the later stage of the affair, when the transfer of Louisiana by France to America had come about, it is the Jeffersonian policy which we from this distance must commend; for the Federalists became

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turbulent and factious. To this day in old New England families the tradition persists of the rancor with which Jefferson was regarded. There could be no good, so thought the friends of John Adams, in anything his great rival had done, and the country would never be safe until they were again in power. Incorporation of foreign territory was unconstitutional in the extreme, and impolitic in the extreme. The East might become depopulated through an immigration that might be expected to set in into the Purchase. Secession of the trans-Mississippi country might certainly be looked for: there could never be anything in common between the men of the plains and the men of the coast. Then how vast was the load imposed upon the country by the \$15,000,000 and more about to go to the coffers of Napoleon! McMaster gives a vivid *résumé* of the newspaper outpourings on this point: \$15,000,000 as a price for a wilderness! Maine had been sold by Sir Ferdinando Gorges for £1,250, and Pennsylvania had cost William Penn but a trifle over £5,000. Fifteen million dollars! You can say it in a breath; you can write it in a

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few strokes. But what does it mean? Weigh it, and there will be 433 tons of solid silver. It would take 866 wagons to draw it. The wagons in line, each occupying 3 rods, would stretch out $5\frac{1}{2}$ miles. If a man were to set out to fill the wagons, at the rate of 16 a day it would take him 2 months. Pile up dollar on dollar, reckoning 9 to an inch, the pile would be 3 miles high. It would load 25 sloops; it would pay an army of 25,000 men 40 shillings a week for 25 years. Apportioned among the population, it would give men, women, and children \$3 apiece. All the coin in the country, gold and silver, would fall far short of such a sum. Stock must be created, and for fifteen years to come \$2,465 a day must be paid as interest. Make the \$15,000,000 a fund, and the interest would support forever 1,800 free schools, allowing 50 scholars and \$500 to each school. Who is to benefit by the transaction? The South and West, who will pay no share of the debt, because the tax on whisky has been removed.*

* McMaster, *History of the People of the United States*, vol. II, p. 630.

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There was call for all the good sense, calmness, and poise which the administration could muster. Neither Jefferson nor his advisers were found wanting. In their hearts they felt there was good ground for criticism. What Madison thought of taking Louisiana has been shown.* But the step had been taken in this strange unforeseen way, and the administration gathered itself together to make the best of the situation. The mass of the people, in spite of the outcry, pronounced the purchase a bargain, and as the year drew toward a close, everywhere but in New England excitement subsided into satisfaction over the great thing that had been achieved.

As to the constitutional matter, Jefferson himself, as a strict constructionist, was in grave doubt. He had once laid it down that Congress has only two kinds of powers: 1, such as are expressly delegated; 2, such as are necessary to carry the delegated powers into effect. Into neither of these kinds of powers could come the acquisition of foreign territory. In signing the treaty, he felt that he was doing an act beyond the Consti-

* See *ante*, pp. 63, 64.

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tution, and his first recourse was to a plan for securing an amendment which would make his conduct legal. But no amendment he could devise gained the approval of his Cabinet or his friends. At last an adviser said to him: "The Constitution needs no amendment; the treaty-making power covers the case," and he persuaded the President to make no public expression. Jefferson was reluctant to take this course, but when Congress convened, on October 17th, his Message contained not a word as to the need of an amendment. Two days later the treaties were formally ratified, the Federalists opposing violently but vainly.

Promptly as possible, on October 19th, Gaynor Griswold again stood up in opposition, arguing that the Louisiana treaty was unconstitutional, first, because the treaty-making power does not extend to incorporating foreign soil and a foreign people into the United States. The words "new States may be admitted by the Congress into the Union" he declared meant new States carved out of territory belonging to the United States at the time the Union was founded. But grant-

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ing for the moment that such incorporations were right, it belonged certainly to Congress, not to the President and Senate. Second, argued Griswold, the seventh article of the treaty gave to ships of Spain and France the right to enter Louisiana ports paying no more duty than was imposed on American ships. Elsewhere foreign ships must pay more. New Orleans, then, was to enjoy special privileges over other ports. But the Constitution provides that "no preference shall be given by any regulation of commerce to ports of one State over another." For a third count, Griswold urged that the President and Senate had tried to regulate commerce with France and Spain, thereby usurping power that belonged to Congress. Having stated his points, the Federalist leader dwelt on the impolicy of the treaty. What troubles were certain to arise in dealing with so vast an area, for the most part a wilderness; and where peopled, having inhabitants so foreign in tongue, manners, and religion!

The Republicans were not slow in replying. The right to acquire territory, said they, is a sovereign right, which belonged to the

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individual States at the formation of the Union. Territory can be acquired only by conquest or purchase. Conquest came of the war power, purchase of the treaty-making power. But the States had expressly surrendered to the general Government the powers of levying war and making treaties—in the latter case establishing that the power shall be exercised by the President and Senate. As to the preference given to New Orleans, the constitutional prohibition relates to “the ports of one State.” Louisiana is not a State; it is a territory bought by the United States. The Republicans, too, spoke of the promotion of the general welfare. To increase our domain, said they, is conducive to that. Why should the increase not take place?

That the general welfare was promoted by the purchase the opposition would by no means admit. It is not denied, they said, that we can purchase and hold Louisiana; but it is denied that it or any foreign country can be incorporated into the Union by treaty. Now Louisiana is ceded to us on the express condition of such incorporation—an unconstitutional provision which must

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cause the treaty to fail. But the Republicans were determined the treaty should not fail. The House being in Committee of the Whole, three resolutions were carried by a vote of 90 to 25. First, that provision should be made to carry the treaty into effect. Second, that the matter of a provisional government should be referred to a special committee. Third, that the Committee of Ways and Means should be charged with raising the purchase-money.

When the matter came up in the Senate, each side used the same arguments, nothing new appearing until Timothy Pickering, of Massachusetts, made the



T. Pickering.

extremest statement possible of the rights of the States. He declared that to his mind the treaty was unconstitutional because it stipulated something no power existing could carry out. The third article read: "The inhabitants of the ceded territory shall be incorporated into the Union of the United States."

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Who was competent to carry that out? Not the President and Senate; not the President and Congress; not an amendment to the Constitution passed by a two-thirds vote of both Houses and ratified by three-quarters of the States. He believed the assent of each and every State was necessary before a foreign country could join the Union. The case was like that of a business house where the assent of each partner must be got before a new partner can be admitted. When the Constitution declared that new States might be admitted by Congress, the words meant domestic, not foreign States. No acquisition of foreign territory was contemplated or provided for, and ought therefore to be regarded as impossible. This speech of Pickering was an interesting contribution to the discussion, but it produced no effect. The vote stood twenty-six to five in favor of the treaty.

Both Federalists and Republicans were agreed as to the right of the President and Senate to buy foreign soil; and the Republicans carried it overwhelmingly that the President and Senate could by the treaty-power incorporate foreign territory into the

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United States. A new wrangle came up over the question how the new territory should be governed. The proposition having been made that the President should administer the territory provisionally until Congress should arrange for a new government—the old institutions for a time persisting—the constitutional battle became as bitter as ever. Jefferson, declared the Federalists, was to step into the shoes of Carlos IV, for a time to administer a tyranny—therefore legalizing on American soil Spanish despotism. This was tearing the Constitution to tatters. Moreover, since he was to appoint all executive, judicial, and legislative officers, and determine how they should act, this was equipping the President with the three powers—executive, judicial, and legislative—an enormity of the largest dimensions. The Republicans were ready with replies. To try to make out the President to be a Spanish despot was a gross exaggeration of the situation. As to his exercise of the three powers, it would not exist; he appointed the men who exercise them, doing nothing himself. But granting that he did, it would be no infringement; the Con-

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stitution had reference to States, not territories. Indiana and Mississippi were cited as precedents, in which territories presidential appointees, governors and judges, exercised the three powers, and none had complained. The opposition were voted down with little ceremony. The bill for a provisional government became a law October 31st. Soon after a bill was passed authorizing the creation of stock to the amount of \$11,250,000. The decision left New England especially full of discontent, and nearly ready for secession. The balance of power was inclining, they thought, quite too strongly toward the South and West. Federalists and Republicans battled fiercely, but the doctrines of both had this in common: they were fatal to the old status of things. The interpretation of the Constitution became enlarged, so that henceforth the spirit and not the letter was appealed to. That it possessed latent powers became admitted, so that it grew at once elastic, adaptable therefore to a nation constantly growing in numbers and might, a change in the American point of view destined to affect the future profoundly.

CHAPTER X

THE UNITED STATES IN POSSESSION

JUST as the year 1803 was ending, New Orleans became the scene of an ever-memorable ceremony. Following the pleasant and picturesque account of Miss Grace King,* we are told that the proclamation of Pierre Clement Laussat had filled the people with "the delirium of extreme felicity"; but taking note of Laussat's republican denunciation of the Spanish *régime*, the address of welcome continued: "We should be unworthy of what is to us a source of much pride if we did not acknowledge that we have no cause of complaint against the Spanish Government. We have never groaned under the yoke of an oppressive despotism. We have become bound together by family connections and by the bonds of friendship. Let Spaniards

* New Orleans, Chapter IX.

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have the untrammelled enjoyment of all the property they may own on the soil that has become the land of freedom, and let us share with them like brothers the blessings of our new position."

A month or so later, the Marquis of Casa Calvo arrived, to assist the governor, Salcedo, in turning the province over to France. A time of festivity followed, the traditions of which still persist, the courtly Spanish grantees being determined to make the latter day of their rule brilliant; and Laussat and his wife, well versed in the ways of Paris, vied with their hosts in the social rivalry. But the Ursuline nuns were afflicted, feeling only terror at the prospect of passing under the sway of a power which a few years before had ostentatiously driven out religion and maltreated its ministers. The Mother Superior begged to be allowed to retire with her sisterhood to some point under the protection of his Catholic Majesty of Spain, and Havana was assigned. Laussat tried in vain to explain and palliate, while promising for the future full protection; an aged nun denounced him and what he was supposed to

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represent. The people, too, pleaded, the mayor going down upon his knees to beg that the children and the city might not be abandoned. But nine nuns, however, out of the twenty-five could be won. On Whitsunday, at the firing of the evening gun, the sixteen who were to go, came forth hooded and veiled. Their old pupils thronged the garden as they passed through; their slaves knelt about the gateway; the dignitaries and the humbler people followed them tearfully to the waterside.

Victor was expected any day, and each man and woman had ready the tricolored cockade, which was to be assumed as soon as the Spanish flag descended. But like thunder out of a clear sky came at last, by a vessel from Bordeaux, the news that the province had been sold to the United States; and no one was more surprised than Laussat, who presently read in a formal document his appointment to conduct the ceremony of surrender. It was felt that the colony had no recourse, and the prefect faced his task valiantly. On November 30th came the ceremony of the cession by Spain to France, a

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French mayor and municipal council taking the place of the alcalde and his suite. Seventeen days later arrived the American commissioners with an escort of troops, encamping two miles outside the city.

In New Orleans still stands a building which one hundred years ago surpassed probably in beauty every other civic structure in America—the old Cabildo, the meeting-place of the municipal council, which also bore the name Cabildo. Miss Grace King says it is still picturesque and imposing, a dignified meeting-place for the Supreme Court of the State. The great stone stairways, majestic and easy of ascent, are now blackened and worn, the noble front channeled and pitted like an old man's face. The council chamber of the Cabildo and the balcony adjacent, were the scene of the formal retrocession of Louisiana from Spain to France, and also of the event so much more momentous to us, the ceremony in which France delivered Louisiana into the keeping of the United States. The French had taken possession of the city, the tricolor replacing on the tall flagstaff in the Place d'Armes the

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banner of Spain. The Spanish officials had withdrawn with all the stately circumstance that had surrounded them. On the 20th of December, Laussat having been in possession but twenty days, the pageant took place. It was a day so full of sunshine that the Americans interpreted it as a favorable omen for their occupation, contrasting the radiance with the rain and darkness in which three weeks before the French had assumed power. Chartres Street and the Place d'Armes, through which the procession was to pass, were thronged early. No one needed to rise at an untimely hour, or go far. In that simple time the world was up at daybreak; and so compact was the town that it was scarcely more than a stone's throw from the most distant habitation to the cathedral in the center. There was indeed outside the ramparts the Faubourg Sainte Marie, the American quarter at the riverside, with a rough and turbulent population of flatboat and raftsmen, unstable and therefore irresponsible, who had drifted down from far-off Kentucky and Tennessee, and were loud and voluble as to their right of deposit and determina-

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tion to hold open the mouths of the Mississippi. The Faubourg Sainte Marie had long been a terror both to the Spanish Governor and the American President; for precisely there were focused the spirit and the agitation which had kept the Dons on the alert against the filibusters, and had caused Jefferson to send Monroe to Paris to effect, if possible, a peaceful solution by purchase.

At nine o'clock the provincial militia began to gather in the Place d'Armes, to review whom Laussat, representative of the First Consul, stood on the central balcony of the Cabildo. In that day the square was a wide area upon which an army might easily maneuver; and the eye unobstructed could range up and down the river in the background, flowing in a wide crescent before the town, whence comes to the town its second name. A fleet of vessels lay in the stream, the masts and yards dressed with flags; and to the right and left, on shore, handsome buildings with high, red-tiled Spanish roofs, balconies and gratings of wrought-iron work, twining and interlacing like vines, stood facing the open space. These were the choice

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locations, and whatever of architectural display the little community was able to achieve, was ranged here where it might best be seen. A French traveler who was present and stood at the side of Laussat, describes the scene, and says he talked with the prefect about the cession as they awaited the arrival of the Americans. What Laussat really felt we know from his despatches. "The Americans," he wrote, "have given \$15,000,000 for Louisiana; they would have given \$50,000,000 rather than not possess it. . . . In a few years the country as far as the Rio Brazos will be in a state of cultivation. New Orleans will then have a population of from 80,000 to 50,000 souls, and the country will produce sugar enough to supply America and part of Europe. . . . What a magnificent New France have we lost! . . . The people are naturally gentle though touchy, proud, and brave. They have seen themselves rejected for the second time from the bosom of their mother-country. . . . Their interpretation of the cession, and their comments on it, show too clearly the extreme bitterness of their discontent. . . . Nevertheless, they have become tolerably well disposed

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toward passing under the new government. . . . There are advantages in the Constitution of the United States of which it will be impossible to prevent them from experiencing the benefit. . . . And being once freed from her colonial fetters, it would be unnatural to suppose that Louisiana would ever willingly resume them."

Shortly before noon sounded the signal-gun that announced the departure of the



Jacob Wilkinson

Americans from their camp. Another shot announced that they had marched through the Tchoupitoulas Gate; and the French batteries, manned, however, by Spanish artillerymen, fired a salute of twenty-four guns. On the stroke of twelve the Americans marched up on the Place d'Armes into the presence of the crowd and the prefect. At the head rode two characters of importance—Wilkinson, so long commander.

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in-chief of the army of the United States, a figure beyond almost all others in our history deserving execration and contempt, and the worthy Claiborne, Governor of the Mississippi territory, and destined now to a niche in our story as the first Governor of Louisiana. Behind them rode a troop of dragoons in red uniforms; there was also a train of artillery, some companies of infantry, and an escort of grenadiers from the city's militia.

The Americans drew up opposite the French formations, and the commissioners, dismounting, ascended to the council-hall, where they were impressively received. A throng of dignitaries, ecclesiastic and lay, greeted them with gravity. The robes of churchmen, the armor of Spanish cavaliers, the silken attire of rich citizens, swept and sounded as they moved back and forth in the salutations. Laussat at last led the way to the balcony, to a chair of state, to the right and left of which were lower seats. Before the upturned faces of the people he took his place in the center, while Claiborne sat at his right and Wilkinson at his left. In front stood the secretary of the commission. Laussat

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presently opened the ceremony by stating briefly the object of the assembly, after which secretaries read the treaty of cession in both English and French. Laussat himself read his credentials, the authorization of the First Consul, through which he had received from Salcedo the province, and through which he was empowered now to surrender it to the new Government. Claiborne then read Jefferson's command to him to receive the province, after which followed from the prefect the formal announcement of the alienation; Louisiana, with all its dependencies, was committed to the new Lands under the same limits and conditions that had been laid down in the treaty of San Ildefonso. He then delivered to Claiborne the city's keys, declaring with a loud voice: "I proclaim, in virtue of the powers with which I am invested, and the commission with which I am charged by the First Consul, that all citizens and inhabitants of Louisiana are from this moment relieved from their oath of fidelity to the French Republic." He then caused Claiborne to take the high central seat while he sat at the side.

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It was now the turn of Governor Claiborne. Speaking in English, he offered the people "his congratulations on the event which irrevocably fixed their political existence, and no longer left it open to the caprices of chance," assuring them that the United States would receive them as brethren, and that they would be protected in the enjoyment of their liberty, property, and religion; that their commerce would be fa-



A. C. Claiborne

vored, their agriculture encouraged. The secretaries then read the *procès-verbal* of the transfer in French and English, which the commissioners, having signed and sealed, formally interchanged.

And now while the concourse looked on, and the commissioners stood at the front of the balcony, came the closing ceremony. Till this time, in the sunshine, spread abroad

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in the mild breeze, the great flag of France had floated above all, at the top of its staff. Slowly now it descended, trembling, fluttering, never more to wave on the continent of North America.

What heart does not feel the deep pathos of that moment! The descent of the flag that day indicated that all the magnificent striving had come to naught. In vain had the strong-souled Champlain held the rock at Quebec through long decades of peril and discouragement; in vain had been the thousand-league journeys of the intrepid La Salle by forest-trail, by stream and lake; in vain had La Vérendrye opposed his breast, marked by the wounds received at Malplaquet, to Assiniboines and Dakotas in far Manitoba; in vain the splendid soldiership and bloody death of Montcalm. Since that moment the islets of St. Pierre and Miquelon—dots of rock in the surf beating upon Newfoundland—have been the sole remnants of that far-reaching New France to establish which so much genius and heroism had been lavished. As the tricolor came slowly down, the Stars and Stripes as slowly ascended. Midway of the

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staff they paused a moment, mingling their folds and colors. Presently the flag of the Union was at the top of the staff, and salvos of artillery and musketry rent the air. The multitude shouted; the ladies, eyried in the gracefully wrought balconies, waved and applauded. Such, according to Miss King, is the tradition; but the shouts and saluting were probably more for the flag which descended than for that which rose. A French officer received the tricolor in his arms as it came to the ground, and wrapping it about his body, strode away with it to the barracks. The crowd fell in behind as at a funeral, the American soldiers presented arms as they passed, and men in the street uncovered as at a great solemnity.

Laussat presented graciously to the crowd his successor, and Claiborne delivered his inaugural. "Louisianians, my fellow-citizens!" he exclaimed. But his words were unintelligible; and had he made himself understood there would have been little response to his welcome and congratulations. The new governor was able and honest, but always a stranger. He never engaged the sympathies of the

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people over whom he was set, and the Anglo-Saxon polity which he introduced was long a burden rather than a blessing.

As the people of Louisiana were reluctant, the treatment they met often in their new relations was for a long time the reverse of cordial. January 14, 1811, in Congress, the question for deliberation being the admission of the present State of Louisiana, then called Orleans, into the Union, Josiah Quincy, of Massachusetts, made a speech which it is curious to look back upon.*

"I address you, Mr. Speaker," he said, "with an anxiety and distress of mind with me wholly unprecedented. To me it appears that this measure would justify a revolution in this country. I am compelled to declare it as my deliberate opinion that, if this bill passes, the bonds of this Union are virtually dissolved; that the States which compose it are free from their moral obligations; and that, as it will be the right of all, so it will be the duty of some, to prepare definitely for

* Annals of Congress, 1811.

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a separation—amicably if they can, violently if they must."

Here Mr. Quincy was called to order, but, being suffered to proceed, went on with a statement of the old Federalist argument of 1803—that the Consti-

tution did not authorize the admission of foreign territory, but only of States formed from the territory possessed by the Union at the first.

"If this bill be admitted," he exclaimed, "the whole space of Louisiana, greater, it is said, than the entire extent



Josiah Quincy

of the United States, will be a mighty theater in which the Government assumes the right of exercising this unparalleled power; nor will it stop until the very name and nature of the old partners be overwhelmed by newcomers into the confederacy. This is not so much a question concerning the exercise of sovereignty as it is who shall be sovereign. Whether the proprietors of the

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good old United States shall manage their own affairs in their own way, or whether they and their Constitution and their political rights shall be trampled under foot by foreigners introduced through a breach of the Constitution. Suppose the population of the whole world beyond the Mississippi were to be brought in to form our laws, control our rights, and decide our destiny. Can it be pretended that the framers of the Constitution would have listened to it? They were not madmen. They had not taken degrees at the hospital of idiocy. Why, sir, I have already heard of six States, and some say there will be, at no great distance of time, more. I have also heard that the mouth of the Ohio will be far to the east of the center of the contemplated empire. You have no authority to throw the rights and liberties and property of this people into a hotch-potch of the wild men on the Missouri, nor with the mixed, though more respectable, race of Anglo-Hispano-Gallo-Americans who bask on the sands in the mouth of the Mississippi. The whole extent of Louisiana is to be cut up into independent States to counterbalance

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and to paralyze whatever there is of influence in other quarters of the Union. The gentleman from Mississippi spoke the other day of the Mississippi as of a high road between— Good heavens! between what, Mr. Speaker? Why, the Eastern and Western States. So that all the countries once the extreme western boundary of our Union are hereafter to be denominated Eastern States.”

Mr. Quincy concluded with a declaration in which the State was exalted above the Union. “Sir, I confess it, the first public love of my heart is the Commonwealth of Massachusetts. There is my fireside; there are the tombs of my ancestors. The love of this Union grows out of this attachment to my native soil, and is rooted in it. I cherish it because it affords the best external hope of her peace, her prosperity, her independence. I oppose this bill from the deep conviction that it contains a principle incompatible with the liberties and safety of my country. The bill, if it passes, is a death-blow to the Constitution.”

Josiah Quincy's speech may appropriately have a place in the story of the Louisiana

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Purchase. As the newcomers into the Union were long looked upon askance by many of their fellow-citizens into whose society they had been forced, so in their own hearts they remained unreconciled until far along in the century. Old soldiers of the civil war recall how often as they marched or sailed among the bayous and plantations, or as hated invaders passed through the streets of New Orleans, the flag of France was displayed from doors and windows, the householders behind making claim to French citizenship. Had the South prevailed, and the Union been split into the "States dissevered, discordant, and divided"—the nightmare which troubled the imagination of Daniel Webster—how natural it would have been for that rejected people to seek once more the bosom that yearned for them though it had twice thrown them off! France stood at hand with its troops in Mexico. Had Fate been a little less kind, New France, after all, might have been established on the Mississippi.

CHAPTER XI

WHAT A CENTURY HAS BROUGHT FORTH

CLAIBORNE, in his speech to the crowd on the 20th of December, had promised the people of Louisiana that they should never be transferred again. If they could have felt sure of that it might have conveyed some comfort; for their country had in its history been transferred, counting its bestowal by Louis XIV on private owners, and the swapping back and forth between Spain and France, and now America, no less than six times. At no one of these exchanges had any human being possessed a definite idea of the boundaries of Louisiana. In 1803 the doubt was as great as ever. In the language of the treaty the cession was to be of the "Province of Louisiana with the same extent it now has in the hands of Spain, and that it had when France possessed it." But north,

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west, and southeast uncertainty prevailed. On the north Louisiana went to the sources of the Mississippi, but those were not at all ascertained; on the northwest the mountains, which the eye of white man had scarcely seen, were supposed to be the limit, though there was a vague idea that the jurisdiction of the Bishop of New Orleans went to the Pacific; if the bishopric, why not the province? To the southwest why did not the discovery and exploration of the Texas coast by the shipwrecked La Salle, who there found his grave, make valid a claim to the country as far as the Rio Grande? The southern boundary was certainly the Gulf—that was a thing fixed in all the doubt. The Mississippi, too, in its upper course fixed the limit on the east; but on the southeast the uncertainty was as great as anywhere, and here the embarrassment was most serious.

Jefferson and Madison much desired the Floridas, and felt that the purchase should include at any rate West Florida. But the Spaniards, outraged by the sale to the Americans, were determined to yield no more than was absolutely necessary; indeed, were al-

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most ready to go to war because the Americans had entered into the bargain at all. With perfect truth they declared that the Floridas were no part of the cession made to them by the French in 1762, but that they had received those territories from the English in 1783. In fact, the Americans had no just claim to anything east of a line marked by the river Iberville, running thence through Lakes Maurepas and Pontchartrain to the Gulf. We do not need to concern ourselves with the details of the disputes, which were not entirely settled till far along in the century. Florida came to the United States, but not through the Louisiana Purchase; Texas came at a later time; and still later, a better title to Oregon and Washington was discovered than that they had once been part of the bishopric of New Orleans. Now that the contentions are passed, and our ample Union has absorbed all that was disputed, the Louisiana purchased by us it is thought fair to describe as comprising New Orleans and its island, and the entire Mississippi Valley west of the great river, and no more; except that at the extreme southwest the

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Sabine River forms the limit, east of which are streams that are independent currents to the Gulf—not tributaries of the Mississippi.

The territory so vaguely known had been parted in the Spanish day into two great divisions. The creoles then understood by Louisiana the area as far as New Madrid, what is now southern Missouri; while the great unknown north of that—on the edge of which were dots of settlement at Sainte Geneviève, St. Louis, and afar on the Missouri the little post of St. Charles—was known as Spanish Illinois, or sometimes Upper Louisiana. A rude census, taken in 1799, gives to Upper Louisiana a population of 6,000. To Louisiana proper are assigned 36,000, of whom all but 2,000 were to be found below the Arkansas. Three-fourths of the population of Louisiana, and seven-eighths of the wealth, were to be found below Pointe Coupée. After the purchase, the name Orleans was applied to the portion south of the thirty-third parallel; this was Claiborne's jurisdiction. All north was known as the district of Louisiana, and at first made part of Indiana.

No wonder that many stood aghast at

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the immensity of the accession, and felt sure a change must come to America that might be disastrous. The limits being all unknown, imagination could work freely as to what they were and what was contained within. But whatever rein imagination might take, it could hardly surpass the reality. As Mr. Binger Herman puts it,* the area of the Louisiana Purchase, now made definite, is more than seven times that of Great Britain and Ireland; more than four times that of the German empire, or of the Austrian empire, or of France; more than three times that of Spain and Portugal; more than seven times that of Italy; nearly ten times that of Turkey and Greece. It is also larger than Great Britain, Germany, France, Spain, Portugal, and Italy combined. Tales regarded as absurdly extravagant were told of the resources of the new country, but the facts have surpassed all that was fancied. It is probable that scarcely a square mile of the great region will ultimately prove unavailable for human uses, desert though much of it was long believed to be. There is no

* Louisiana Purchase, p. 36.

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soil in the world more fertile than that bordering the Mississippi and its great affluents. Where the farmer fails of a chance, the ranchman can often find opportunity; if flocks and herds are out of the question, the lumberman is accommodated; while in the absolute waste the miner finds coal, oil, and almost every metal that can be useful to man.

Jefferson, although the purchase had been made almost in spite of him, and although he had so many misgivings when the matter was finished, had yet shown himself throughout to be a statesman thoroughly wise and humane. His subsequent conduct in relation to Louisiana was of a piece with what had gone before. Soon he sent a message to Congress embodying such information as to the Purchase as he was in possession of—a description which, although it was ridiculed in unmeasured terms by the opposition, was seldom extravagant. He spoke of tall bluffs faced with stone carved into what seemed a multitude of antique towers; of a land extraordinarily fertile; of prairies covered with buffalo, which pastured on broad, unbroken areas of succulent grass. In these accounts

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he hit the truth. If, furthermore, he enlarged on the gigantic stature of the Indians, it is not strange that savages so formidable as Sioux, Pawnees, and Comanches should have caused a rumor to go forth of herculean size. And if he described a vast mountain of rock salt, which glittered in the sun, and poured forth from its crevices waters that might match those of the sea, even that was not without foundation; though the rock salt of the Purchase stretches under ground in far-extending deposits that must be mined, not in heaps that lie upon the surface.

But this message was only to quiet curiosity. Full exploration he saw was necessary at once, and he proceeded upon a plan which he had already formed in the time when the act of Morales had excited the country. In resolving to send out an expedition, he did not anticipate for the new country any large increase of white inhabitants. He seems to have thought that the tribes east of the Mississippi might be moved thither, and that with the Indian population thus recruited profitable trade relations might be established. In arranging for the exploration, he chose the

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leaders as wisely as possible. Lewis and Clark were indeed ideal pathfinders; young



Meriwether Lewis

army officers, of military experience under Wayne, of excellent Virginia stock. Lewis, a kinsman of the President, and for a time his private secretary; Clark, a younger brother of that chief hero of the frontier, George Rogers Clark—the two young men lacked no quality

or accomplishment that could be useful in such an exploration. They set out from St. Louis in May, 1804, as soon as it was possible to get ready after the transfer of the country, with a company of twoscore or so, made their way by the Missouri and its tributaries to the Rocky Mountains, and thence followed the Columbia from its head springs to the Pacific. This they reached November 15, 1805. Hence they returned in the following year, having let light through the wilderness. They had gone without harm through the

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most dangerous tribes, and coped with all natural perils with scarce a casualty. They lost one man by death, and Lewis, with his own rifle, shot one Indian, when the lives of the party seemed to depend upon a show of vigor. Their management of the savages whom they encountered was a marvel of adroitness and full of the spirit of humanity. Their own bearing and that of their men, not one of whom faltered, was full of manly resolution. In the annals of America there are few things pleasanter or more creditable than the story of Lewis and Clark. With their names should be coupled that of Lieutenant Zebulon M. Pike, whose expeditions, contemporary with that of Lewis and Clark, first into northern Minnesota, and afterward far into Colorado and south into Mexico, though undertaken under unfortunate auspices, the patron-



Zebulon M. Pike

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age of the worthless Wilkinson, were marked by skill and heroism. When Pike and Lewis and Clark had returned, and their maps and journals were spread abroad, it began to seem as if the American world might some time get within its grasp the vast domain to which it had fallen heir.

But the times were full of peril and discontent. The Spaniards, enraged, as they had reason to be, at the sale of Louisiana in spite of the express promise of Napoleon not to alienate it, lingered sullenly about New Orleans, and clung obstinately to Florida, which the administration had especially desired to gain. In the northeast, hatred of the Jeffersonian ideas, and discontent with his policy, were so rife that the air was full of threats of secession. The ties that held the Union together in those days were indeed weak; that no severance came about was a marvel.

On the 25th of June, 1805, says Mr. G. W. Cable, as evening came on, and the creoles of New Orleans, according to their habit, gathered at the levee, they found their inter-

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est excited by a handsome barge impelled by ten oarsmen, which, sweeping around the bend above the city, presently made a landing. Then stepped ashore a small but handsome and distinguished figure, who as soon as he became known was received with all possible respect. It was Aaron Burr, up to this time the most noteworthy public man who had appeared in New Orleans since it passed into the new ownership. The grandson of Jonathan Edwards, he inherited remarkable abilities, which he had used to such advantage that he had attained everything but the highest place. He had failed by but one electoral vote of becoming President instead of Jefferson; but as Vice-President he was close at the front. His moral worth did not equal his political distinction. He had shown that he could be trusted by neither man nor woman; he had killed in a duel Alexander Hamilton, perhaps the most useful man in the



A. Burr

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country at the time; and now in the ill-knit, unstable Union, not as yet well adjusted and in good working shape under the Constitution, he saw his selfish advantage in promoting treasonable schemes for breaking apart, rather than for bringing to pass harmony. What precisely Aaron Burr designed has never been known, probably was never distinctly outlined in his own mind. He meant, no doubt, that events should determine how far he might go. Baffled in his ambition in the East, he resolved to make a trial in the West, hoping that through some dismemberment of the nation, and some robbery of Spain, Aaron Burr might sit exalted. He had won Blennerhassett; Wilkinson had lent an ear to his propositions. Henry Clay and Andrew Jackson, young men on the threshold each of a great career, the one in Tennessee, the other in Kentucky, had felt the spell of his fascination, but recoiled at the suggestion of disloyalty. Claiborne, too, at New Orleans, though at first deferential to the eminent visitor, was utterly cold and unsympathetic before every suggestion of treason. New Orleans in general, on the contrary, was ex-

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cellent soil for the seed Burr was scattering. The creoles were full of grievances against the new order; the Americans, flatboat men and adventurers of the frontier, were born filibusters. In such a population the Union counted for little. But the story of Aaron Burr does not require from us more than a glance. Wilkinson betrayed him, as he did everybody. There were worthier instruments who wrought in the matter. Marshall sat in judgment on him; his downfall was accomplished. The Louisiana Purchase was saved from the plots of home conspirators.

There was one last great peril from foreign encroachment to be faced. France had vanished from the continent with the solemn and pathetic lowering of the tricolor that winter day in 1803. Spain, oppressed with the Napoleonic incubus, no longer needed to be reckoned with. But England remained. To keep Louisiana out of the grasp of England the First Consul had sold it. A time came when the world-arbiter languished in Elba; and straightway England, her hands for the moment free, clutched at the prize

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that had been withheld. The world then had rarely seen such an armament as she sent forth. Twenty thousand fighting-men were collected in a vast fleet; nor was the quality of the expedition inferior. Long years of war against an enemy almost miraculously able had developed both on land and sea extraordinary leadership. Soldiers and sailors had been trained and toughened under Wellington and Nelson in the most critical campaigning. With the end of 1814 they were at the Mississippi's mouth, and the odds were indeed against the forlorn Republic which for two years had been struggling on the northern frontier with very indifferent success against her formidable foe. So thought Sir Edward Pakenham, the commander, and those who sent him; and the expedition brought, besides the fighters, civil officials who, when the easy victory was gained, were to organize a broad British dependency on the Louisiana Purchase and the parts adjacent, which might attain who could predict what greatness!

Andrew Jackson, upon whom fell the duty to meet the attack, was the very type of imperious energy, a soul born for leader-

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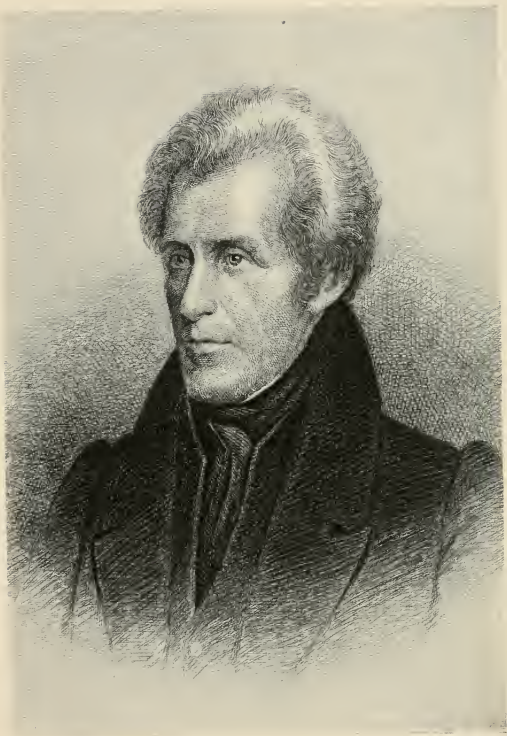
ship. Out of the heterogeneous elements at hand when he arrived in December, he had managed to combine an effective force that now performed a wonder. His line, says Mr. Cable,* was about half a mile long, an entrenchment of the roughest at the best, and dwindling at the end into a mere double row of logs, two feet apart, and filled in between with earth. Here was an almost droll confusion of men, arms, and trappings. On the extreme right, at the river-bank, were some regular infantry and a company of Orleans rifles, with a few dragoons who served a howitzer. Next came a band of Louisiana creoles in gay and varied uniforms; then sailors with guns from a destroyed ship. A swarthy group of pirates from Baratavia, serving two twenty-four pounders, had a position near; then a troop of negroes, another bunch of sailors, and a party of mulattoes from San Domingo. There was a stretch of blue marking the position of the Forty-fourth Infantry, next to whom an old artillery-man of Napoleon directed some Frenchmen in the management of a twelve-pounder. A long

* Creoles of Louisiana, p. 195.

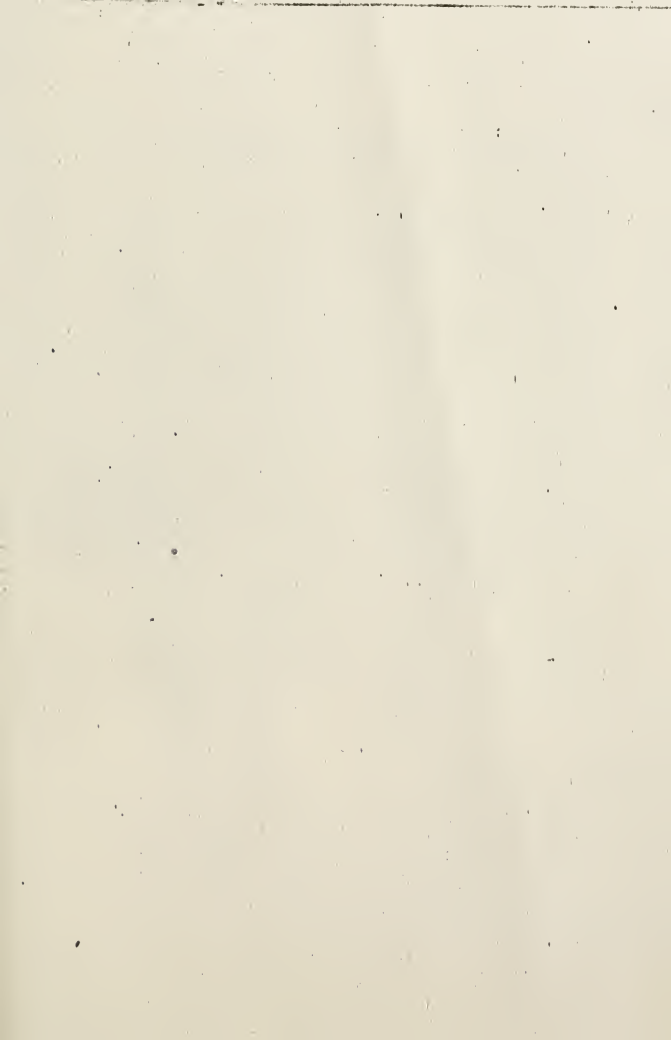
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line of brown homespun hunting-shirts draped the lank Tennesseans of Carroll; a bright cluster of marines; more artillery; then at the end Adair's Kentuckians and Coffee's Tennesseans, frontiersmen all to whom the rifle was as another limb. There were on the main line but 3,200 men with 12 cannon. How the waifs and strays of Jackson's line accomplished an achievement of the first rank is a brilliant page in our story. Since then no foreigner with hostile purpose has encroached upon the soil of the United States.

The Louisiana Purchase having been explored, and saved from peril at the hands of domestic plotters and outside enemies, the question of the exact boundaries, up to this time ever present and most vexatious, was gradually settled. "What are the eastern boundaries of Louisiana?" said Livingston to Talleyrand in 1803, when the treaty was being arranged. "I do not know," was the reply. "You must take it as we received it." "But what do you mean to take?" asked Livingston, thinking about the retrocession from



Andrew Jackson



What a Century Has Brought Forth

Spain. "I do not know," said Talleyrand. And so the question was left all uncertain. For two hundred and fifty years, in fact, Florida was a bone of contention, Spain, France, England, and at last the United States tugging at the morsel of tropical richness. The phases of the contention since 1808 it is not worth while to follow here; 1819 is the year in which the long controversy was concluded, a treaty then being arranged with Spain which John Quincy Adams regarded as the most important transaction in which he was ever concerned. By that treaty Florida was definitely ceded to the United States, which in return for the concession renounced all claim to the territory west of the Mississippi as far as the Rio Grande. Spain is said to have congratulated herself on this arrangement: in return for a province isolated and impossible of defense against a most aggressive neighbor, she was set at rest as regards a region contiguous to Mexico, the secure holding of which was most important to her American empire. But unfortunate Spain could not be happy long; in a few years American ad-

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venturers who had fixed themselves in Texas, with small ceremony turned out the Spanish Government, and in 1844 Texas became part of the United States. In the mind of John Quincy Adams, the treaty of 1819 was perhaps more important for what it secured to the United States on the Pacific than for the acquisition of Florida. Spain yielded her claim to all territory north of the forty-second degree of latitude, the region comprised within Oregon and Washington. Resting upon this, upon the discovery of the mouth of the Columbia by Captain Gray in 1792, and upon the early establishment of Astoria, the United States could well afford to let go the vague title derived from the Louisiana Purchase. As the country grew, the ancient disputes were swallowed up and have long ceased to possess other than an historic interest.

In the development of the Louisiana Purchase, two machines have played a great part. In the year 1815 two little craft made their way down-stream among the rafts and broadhorns, exciting some interest among the river-men, because in their movements

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they were in a measure independent of oar, sail, or current—a mysteriously moving wheel, connected somehow with a furnace which smoked away from a tall funnel, being the principal agent of progress. Their cargoes delivered, the queer craft, to the great wonder of all, made their way back up-stream to the Ohio, whence they had descended. The application of the power of steam to locomotion thus proved successful, a demonstration the consequences of which it is scarcely possible to exaggerate. As regards the New West, the civilization which has come to pass upon the area of the Louisiana Purchase, it is quite within bounds to say that it may look upon the locomotive as its creator.



Eli Whitney

Deferring for the moment further consideration of this instrumentality, another contrivance must be mentioned—the notion of a Yankee's brain wrought out in wood and

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iron, the results of which are even more remarkable than those of the steam-engine. Eli Whitney's cotton-gin, invented in 1793, produced a revolution economically, and much more; it changed men's ways of looking at life, and set up new standards of right and wrong. Through the cotton-gin, slavery, which had been a dying institution at the South as well as the North, became at once a profitable form of labor at the South. As cotton became king, to preserve slavery became at the South the first duty of the patriot. At the North, meantime, the moral sense of men became greatly roused against it, until to hold men in bondage was looked upon as the chief of sins. The "irreconcilable conflict," therefore, came about the course and crisis of which has so affected the history of America. Our story can not be told without a reference to this.

It was in the Louisiana Purchase that the conflict between North and South first became acute and threatening in the great struggle of 1819 and 1820 as to the conditions under which Missouri should be admitted to the Union. Louisiana had come in in

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1812; the great territory north about the same time had received the name Missouri. From this, a little later, Arkansas had been set off as a territory; and in 1819 the region north of $36^{\circ} 30'$, having all the requisites for statehood, petitioned for admission to the Union. Let Missouri come in, said the country, but shall it come in as free or slave? In the intense feeling which this question aroused, the people for the first time awoke to the seriousness of the rift that had been gradually opening.

The Missouri Compromise was the accommodation hit upon at the moment, in arranging which Henry Clay came forward into fame as the "great pacificator."

Slavery being admitted into Missouri, it was ordained by Congress that the region north



H Clay

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of Missouri should be forever free. The country settled upon this, feeling that the union of the States was thereby saved; for a generation, from 1820 to 1854, the act was held as binding, and peace prevailed. Meantime the country was filling up. Missouri became populous; Iowa, also on the Purchase, followed her into statehood in 1845; and it began to be plain that the region still farther west and north, instead of remaining unoccupied for

ages to come, as the contemporaries of Jefferson had imagined, was to receive immediately a numerous immigration.



S. A. Douglas

Then broke upon the land the voice of Stephen A. Douglas, proclaiming in the Federal Senate the doctrine of "Squatter sovereignty," denouncing the Missouri Compromise as unconstitutional, and de-

claring that not Congress, but the settlers within a territory alone had power to decide whether the territory should be slave or free.

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At once the doctrine was embodied in the Nebraska Bill (the whole vast expanse west of Iowa and north of Missouri being known as Nebraska), which presently became the law of the land. Kansas, being set off, forthwith became the scene of troubles which could end only in war.

Though in the tumults preceding the civil war the Louisiana Purchase was to such an extent the theater of important developments, it lost that gloomy distinction as soon as the cannon began fairly to thunder. The good conduct of Frank Blair and Nathaniel Lyon early made Missouri secure for the Union; there were battles elsewhere in the Purchase, indeed, but none really momentous. As compared with what went forward east of the river, the conflicts were not significant. Those sad four years lapsed slowly on, so burdened with anxiety, with pain, with death. Dark indeed was the catastrophe to which the Yankee inventor of 1793 had brought us! But the Union was saved, to the immense advantage, as we believe, of the country and of mankind. The Louisiana Purchase, though less blood-bedewed in the conflict than other

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areas farther east, has reaped in full measure the benefits of the victory.

Recurring to the power of steam, as applied to locomotion, the steamboat has been succeeded, to a large extent superseded, by the locomotive; and the great New West, which the world beholds as having come to pass in the expanse so cavalierly tossed to us by Napoleon in 1803, may rightly be called the child of the locomotive. Never before, when men have occupied new lands, has the occupation been so rapid. At the present moment not a fragment, save Oklahoma and the Indian Territory, remains which has not been admitted into statehood. Twelve commonwealths, populous, politically complete, socially organized according to advanced standards of civilization, stand side by side. Following Louisiana and Missouri, Arkansas became a State in 1835, Iowa in 1845, Minnesota in 1858, Kansas in 1861, Nebraska in 1867, Colorado in 1876, North Dakota, South Dakota, and Montana in 1889, and Wyoming in 1890. It is not strange that some feel we have gone quite too rapidly, and that

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our grandchildren may wish their forebears had been slower in the exploitation of the resources of our noble domain. It does not belong to the function of him who writes the story of the Louisiana Purchase to discuss this question, or to deal with the other problems which beset and threaten at the present moment. The purpose of this book has been merely to give the story of the transaction through which the area came to us, not to narrate the events which make up its subsequent history. At that history we have done no more than to cast a glance. The result is remarkable. The value of the agricultural products alone of the area, for one year, is a hundred times the purchase-money. The taxable wealth is more than four hundred times the purchase-money. Recent statistics may be tabulated as shown on the following page.*

The Louisiana Purchase is a domain with natural resources almost unparalleled. It is occupied by 15,000,000 English-speaking people—a race formed by the assimilation into a strong Anglo-Saxon stock of elements from a number of the better breeds of men. The

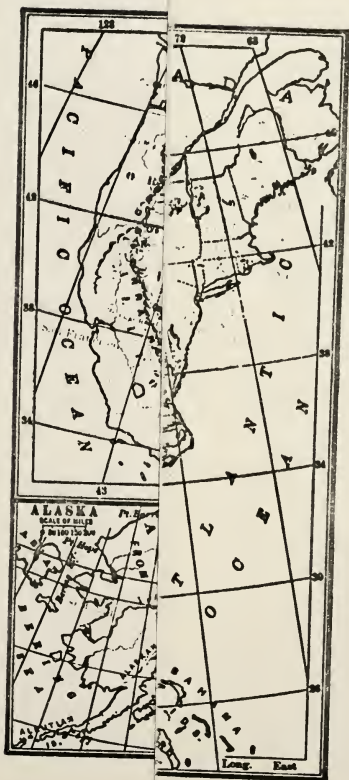
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appliances of the highest civilization are scattered among them lavishly. The principles of the noblest polity ever evolved in the progress of the human race are established for its government. The present fruition is scarcely calculable; the hope for the future is boundless.

** Population, Area in Square Miles, and Taxable Wealth of the States and Territories embraced by the Boundaries of the Louisiana Purchase*

STATES AND TERRITORIES.	Population.	Area, Square miles.	Taxable wealth.
Arkansas	1,311,564	53,850	\$180,999,050
Colorado	539,700	103,925	430,000,000
Iowa	2,231,853	56,025	2,106,615,620
Kansas	1,470,495	82,080	1,021,833,294
Louisiana	1,381,625	48,720	267,723,188
Minnesota	1,751,394	83,365	585,083,328
Missouri.....	3,106,665	69,415	1,093,091,264
Montana	243,320	146,080	153,441,154
Nebraska	1,068,530	77,510	171,747,593
North Dakota.....	819,040	70,795	143,000,000
South Dakota.....	401,570	77,050	172,225,085
Wyoming.....	92,531	97,890	37,892,303
Indian Territory . .	391,060	31,400	94,000,000
Oklahoma	898,245	80,030	150,000,000
Totals.....	14,703,510	1,037,735	\$6,616,642,820

The taxable wealth above given is approximate only, because of variations in the systems of assessments, and is in most instances much below actual values.





LAND ACQUIRED
BY THE
UNITED STATES

SCALE OF MILES

0 100 200 300

Longitude 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Scale



APPENDIX A

[Memoir of Livingston, addressed to Talleyrand, Minister of Foreign Affairs, about February 1, 1803, one of the papers undoubtedly read by the First Consul, and which may have influenced his determination in the matter of the sale of Louisiana.*]

I AM sensible, sir, that I have already taxed your patience in the memoirs that I have submitted to your attention; but, sir, (pardon the frankness with which I speak,) the critical moment is arrived which rivets the connexion of the United States to France, or binds a young and growing people for ages hereafter to her mortal and inveterate enemy.

How highly I estimate the alliance of France, and how much I believe the happiness of both nations may be promoted by it, not only appears from the whole of my political conduct, but has been stated in an essay upon the relative maritime power of France and Britain, which, as I have learned, has been honored by the First Consul's attention.

The United States have at present but two possible causes of difference with France—the debt due to her citizens, and the possession of Louisiana. The first of these France is not only bound to pay by the laws of justice, but by the solemn stipulations of a treaty which has been observed with the utmost good faith by the United States,

* Annals of Congress, 1802-1803, pp. 1078-1083.

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who have advanced large sums in consequence, without suffering themselves to doubt that it would meet with equal attention on the part of France. Give me leave to add, sir, that your signature was considered as a guarantee of that treaty by the people of the United States, who had long since learned to estimate the candor and integrity of your character.

My present object, sir, is to show, in a very few words, that Louisiana affords France not only the means of discharging their debt, and promoting the other object which I took the liberty to hint at before, but even of placing her colony of Louisiana in a better situation, should it be her wish to retain that colony, than she would do by listening to no compromise with the United States.

The object of France in forming this colony is to supply her islands; to afford an outlet for such of her population as she thinks she can spare from home. But not to scatter her people over an immense wilderness, where they will be lost for her and to the world; or to fill her territory with inhabitants that would withdraw their allegiance the moment they found themselves in a situation so to do; which will certainly be the case if these, or if any but the natives of France are permitted to settle it.

It is, then, the interest of France to limit her territory, and to render it as compact as possible, without placing it at such a distance from the sea as to put it totally out of her control. While, with the remainder of the territory, she fulfils other important objects, and, above all, builds her future connexion with the United States upon mutual interests, and that strict and solemn regard for treaties which can alone lull the apprehensions that her power excites, and to which, more than to the force of her arms, Rome was indebted for the dominion of the world.

The produce of Louisiana must be conveyed by the Mississippi, and there are no ports for her marine to the west of

Appendix A

Pensacola. If, therefore, France should possess Pensacola, and all the ports to the east of it, she will have the complete command of the Gulf. And if she possesses the free navigation of the Mississippi, and all Louisiana lying to the west of that river, and south of the river Arkansas, comprehending a tract nearly as large as the ancient Government of France, she will have more territory than will suffice to supply all the wants of her marine, and West India colonies, with such articles as that country can produce.

Louisiana, within these limits, can support a population of fifteen millions of people. You will judge, sir, whether it would be possible for France to retain more than that number in subjection; or whether it would be good policy to extend her population beyond the number she can govern.

The settlers to the north of the river Arkansas would be too far from the sea to fear any force from France. A distant colony must be of moderate size, compactly settled, and not remote from the sea, or the parent State will soon lose all control over it. The interest of France, then, requires that her colony in Louisiana should not exceed the limits I mention, and the separation of this territory from that lying to the east of the river Perdido would afford an additional security to France for the possession of both, not only as it would break the connexion of the colonies, but as their interest would be totally different, the last possessing little valuable land, (for both East and West Florida are barren tracts,) would be military posts and commercial *entrepôts*; from which the trade would be carried on to and from the Mississippi in small vessels; while that with France would, on account of her safe and commodious harbors, centre in East Florida.

The inhabitants of this country would be deeply interested in a continuance of their connexion with the mother country. While the interposition of West Florida, in the hands of the United States, would prevent any coercion on

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the part of the inhabitants of Louisiana, if they should at any time be disposed to revolt; East Florida, on the contrary, while loyal to France, would, by means of her navy, have a powerful control on the colony of Louisiana.

The example of England should have some weight. The Dutch possessed New York; England, for the sake of uniting her colonies, purchased it from Holland. Had it been left in the hands of the Dutch, that union, which has lost the whole to Britain, would have been prevented.

The Colonies of Louisiana and East Florida, within the limits proposed, being thus secured, the remainder of the Spanish cession is only valuable as it enables France to pursue other great objects, to wit: the payment of the debt in conformity to her treaty;* and the conciliation of an ally which may on so many important occasions be useful to her; and the one of no less magnitude to which I have in my last the honor to allude.

The United States possess the east side of the Mississippi, from its source to the thirty-first degree of north latitude. It would be very interesting to them to acquire the possession of the remainder of the east bank of that river to its mouth, and that narrow strip of land which lies between the thirty first degree of latitude and the sea, as far as the river Perdido; not on account of the value of the land, for, except a small quantity on the banks of the river, it is for the most part a sandy barren, or a sunken marsh; but because it would give them the mouths of those rivers which run through their territory, and afford an outlet to the sea.

To the cession of this country but one possible objection can be raised on the part of France; it may attach a value to New Orleans which it by no means merits. The fact is, that to France, who has the choice of fixing her capital on either side of the river, New Orleans has no circumstance to

* The reference is to the Spoliation Claims.

Appendix A

recommend it. It is placed on the naked bank; it has no port, basin, or quay, for shipping; has no fortification of any strength; and is incapable of being rendered a good military position; and the houses are only of wood, subject to continual accidents. The situation was fixed first by France on account of its being on the Florida side of the river where the settlements commenced; but as it was soon found that the lands of the west side of the river were much richer, the principal part of the population is now there. The bank opposite to New Orleans is higher and better calculated for a town: it already has a strong post in Fort Leon, the most commanding position in that country; and the harbor, or rather the road, is in all things equal to that of New Orleans. As a Government house and barracks, stores, &c., must be built either at New Orleans or at Fort Leon, there can be no doubt, even if France retains both, that the latter ought to have the preference, since a regular and handsome capital could be laid out there, and in a healthier and stronger situation than at New Orleans.

It is highly probable that, in this case, the superiority it would have in point of health, the advantages of the Government, and, above all, the free trade with France and her islands, would render it in three years more populous than New Orleans now is. The French merchants would sell their houses in the one to the Americans, and establish themselves in the other. Should France retain the whole of the Spanish cession on both sides of the river, she will find it absolutely necessary to remove her capital to the west side. The river for three months is impassable from the violence of the inundation, and the trees that it brings down with it. As the bulk of the colony is on the west side of the river, it must necessarily draw its capital after it, or submit to be cut off from it during this period. A town will, therefore, rise at Fort Leon, where the richest establishments are already

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formed, which must increase with the population of the country.

The difficulty of removing the capital from New Orleans will increase as its buildings become more numerous, and its population greater. It is, therefore, in every event the true interest of France to commence the establishment of a capital on a regular plan on the west side of the river, where it must ultimately be, rather than expend money upon the old town of New Orleans, which they will find too much insulated for the capital of Louisiana.

Permit me, sir, to examine the subject in a point of view which I conceive is important not only to France and the United States, but to every maritime Power. It cannot be doubted that the peace between France and Britain has been too disadvantageous to the latter to be of long duration. Strong symptoms of an approaching rupture have already appeared; and the statesmen of both countries will begin to examine the points of attack and defence, and the acquisitions that afford the most permanent advantages. The Cape, Malta, and Egypt, have already awakened the cupidity of Great Britain. Should she extend her views across the Atlantic, (and what is to limit them?) the cession of Louisiana to France offers her the fairest pretence to invade that country, either from Canada or by the Atlantic.

She felt no reluctance in leaving them to Spain; but she will not quietly see them in the hands of France. She will strain every nerve to acquire them. By uniting them with Canada and Nova Scotia she encircles the United States; and, having the same manners, the same religion, the same language, and a number of partisans among the commercial inhabitants of the United States; having carefully removed every conflicting question, and even conciliated, by the liberality of her restitutions, those whom her conduct during the war had irritated; it will be difficult to say what will be the extent of her influence. But, independently of this cir-

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cumstance, if Britain should unite Louisiana and West Florida to her other American possessions, no power in Europe will be able to oppose her force. The bay of St. Esprit will become another Gibraltar, from which she will ravage every island and continental possession of France, Spain, and Holland; she will monopolize the commodities of the West as she has already done those of the East Indies. Not a moment, sir, should be lost for placing a barrier between the settlements that France may wish to retain in Louisiana and Canada, by ceding to the United States the portion I have proposed above the Arkansas; and by the cession of New Orleans and West Florida, to take from them the first inducement to attack that country. France should exert all her resources and all her strength in the immediate fortification of Pensacola and the bay of St. Esprit; or, if she has not the means of doing it, she should leave them in the hands of Spain (if she can consent to leave her at peace) or to some other neutral nation. For I will venture to say that the acquisition of that country, by a nation who possesses Newfoundland, Nova Scotia, and Canada, with a powerful maritime force, will annihilate the external trade of every other nation in Europe; and that it would be the true interest even of Spain herself, rather to see her ports in Florida in the hands of the United States, who alone can defend them, than to keep them in her own, at the risk of having them wrested from her by Britain. Perhaps, in the present state of things, considering the superiority of the British Navy at this moment, the great capital that it will require to reinstate the French islands, and her continental possessions in the East Indies and in America, the wisest measure would be, not only to make the cession I have asked, but to hypothecate the whole of East Florida for a term of years, for such part of the American debt as may remain unsatisfied.

But as this is a more hasty, undigested idea, rather in-

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tended to turn your attention to this subject, than as matter sufficiently matured to take the form of a proposition, I cannot, sir, conclude this note, without turning your attention to the present feelings of the people of all parties in the United States with respect to France. The total silence of the French Government on the subject of their intention as to the navigation of the Mississippi, and their rights of *entrepot* at New Orleans, secured to them by the most solemn treaty with Spain; the mystery with which all the arrangements of France for taking possession of that country are concealed from the Minister of the United States, notwithstanding his repeated notes to the Minister of Exterior Relations on the subject; have excited the most lively apprehensions of designs unfriendly to their commerce and their rights. The total neglect of every measure that leads to a security for their debt, notwithstanding the provisions of the treaty, and the ruin of numbers of their citizens by this; and the very extraordinary decisions which have, in several instances, taken place in the Council of Prizes, for which I have been able to receive not merely no redress but even no answer; contrasted with the good faith, displayed by their own Government with respect to France, with the scrupulous attention that Great Britain has paid to repair, by the most liberal conduct, the abuses she has permitted herself to commit during the war, leads to a belief that France limits her rights by her power; and insensibly disposes them to alliances, both offensive and defensive, which it has heretofore been her policy to avoid. Can it possibly be the interest of France, sir, to drive the United States into these alliances, while she forms colonies, and retains islands in their neighborhood? Can she look with contempt upon an enterprising and hardy nation who possesses means of defence at home, and for a maritime force which will render her respectable abroad? The immense power of France has rendered her an object of jealousy to the Old World; while the

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inhabitants of the New felt no other sensations than those of admiration and respect.

In Europe, France only knows secret enemies and hollow friends. In America, she has grateful allies. Let her not, sir, for the bubble of the day, cast them off; but let her avail herself of the advantages she has acquired, to bind them to her. Should she, relying on her own strength, never need their aid, she still will find a consolation in reflecting that the sacrifices (if such they may be called) she makes, are sacrifices at the altar of justice and national faith. She will cheaply purchase the esteem of men and the favor of Heaven by the surrender of a distant wilderness, which can neither add to her wealth nor to her strength.

R. R. L.

APPENDIX B

NAPOLEON'S ORDER FOR THE SALE OF LOUISIANA

TRANSLATION *

PARIS, 8 Floréal, an 11 (April 23d, 1803).

Minute for a Secret Agreement with the United States of America

THE First Consul of the French Republic, in the name of the French people, and the President of the United States of America, desiring to prevent all possible misunderstanding relating to the topics mentioned in Articles II and V of the Agreement of the 8th Vendémiaire, year 9 (October 1st, 1802), and wishing to promote as far as possible the close and friendly relations which at the time of the said Agreement were fortunately established between the two states, have named as Ministers Plenipotentiary Citizen Barbé Marbois, Minister of the Public Treasury [the American names are omitted], who, after having exchanged their credentials, have agreed on the following articles:

ART. 1. The French Republic yields and transmits to the United States of America all the rights which it has acquired over Louisiana through the treaty made with His Catholic Majesty, the King of Spain, the 8th Vendémiaire, year 9 of the French Republic; and in consequence of said cession, Louisiana, its territory, and the dependencies

* Correspondance de Napoleon Premier, J. Dumaine, Paris, 1861. Henri Plon, éditeur, tome viii, pp. 289, etc.

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appertaining thereto, shall become part of the American Union, and shall constitute in due course one or several States according to the terms of the Constitution of the United States.

ART. 2. The United States undertake to favor in a special way the commerce and navigation of French citizens and of the subjects of His Catholic Majesty, in the towns, harbors, roads, seas, rivers, etc., of Louisiana, and to especially secure to them by a privilege not in future to be granted to any other nation, the perpetual right of deposit and navigation which was conceded to the Americans by the Treaty of October 27th, 1795, between Spain and the United States.

Moreover, it is agreed that in the ports and towns of Louisiana, French and Spanish commerce shall enjoy perfect freedom to import goods. French and Spanish vessels and merchandise shall never be subjected to any of the customs or dues which may be imposed upon the commerce of other nations. They shall, in the ports of Louisiana, be treated in all respects like French-American merchandise coming from some other American port.

ART. 3. Three other places of commercial deposit shall be accorded to France and Spain, on the right bank of the Mississippi, toward the mouth of the Red River and the mouths of the Arkansas and Missouri, and two points on the left bank of the Illinois River and toward the mouth of the Ohio. French merchants shall enjoy in these places all the advantages accorded to Americans by the King of Spain, on the 27th of October, 1795. It is also agreed that France may appoint in these places, as well as at New Orleans, commercial agents, who, according to Article X of the Agreement of the 8th Vendémiaire, year 9, shall enjoy the usual rights and prerogatives of such officials.

ART. 4. It is agreed that the obligations assumed by the Government of the French Republic as respects the debt due

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to American citizens, specified in Article V of the Agreement of the 8th Vendémiaire, shall be held to be cancelled, and that the obligation shall be regarded as transferred by the present treaty, to the Government of the United States, which undertakes to satisfy every claim which has been or may be addressed on that score to the Government of the Republic—it being well understood that the obligations contracted toward French citizens by the Government of the United States, by virtue of the said article, remain untouched, as well as the rights of French citizens to the payment of debts due them.

ART. 5. Aside from the satisfaction of the claims specified in the preceding article, the Government of the United States agrees to pay to France the sum of one hundred million francs, in twelve equal instalments, the term for each instalment to be twelve months, and the payment of the first instalment to be made a month after the present date.

The present convention shall be ratified in good and due form, and the ratifications shall be exchanged within six months of the date of the signatures of the Ministers Plenipotentiary, or sooner if it is possible.

By order of the First Consul.

Archives de Finance.

APPENDIX C

*Treaty of Purchase between the United States and the French Republic **

THE President of the United States of America, and the First Consul of the French Republic, in the name of the French people, desiring to remove all sources of misunderstanding relative to objects of discussion mentioned in the second and fifth articles of the Convention of (the 8th Vendémiaire, an 9,) September 30, 1800, relative to the rights claimed by the United States, in virtue of the Treaty concluded at Madrid, the 27th October, 1795, between His Catholic Majesty and the said United States, and willing to strengthen the union and friendship, which at the time of the said Convention was happily re-established between the two nations, have respectively named their Plenipotentiaries, to wit: The President of the United States of America, by and with the advice and consent of the Senate of the said States, Robert R. Livingston, Minister Plenipotentiary of the United States, and James Monroe, Minister Plenipotentiary and Envoy Extraordinary of the said States, near the Government of the French Republic; and the First Consul, in the name of the French people, the French citizen Barbé Marbois, Minister of the Public Treasury, who, after having respectively exchanged their full powers, have agreed to the following articles:

* Annals of Congress, 1802-1803, pp. 1006-1008.

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ART. 1. Whereas, by the article the third of the Treaty concluded at St. Ildefonso, (the 9th Vendémiaire, an 9,) October 1, 1800, between the First Consul of the French Republic and His Catholic Majesty, it was agreed as follows: His Catholic Majesty promises and engages on his part to cede to the French Republic, six months after the full and entire execution of the conditions and stipulations herein, relative to his Royal Highness the Duke of Parma, the Colony or Province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other States: And whereas, in pursuance of the Treaty, particularly of the third article, the French Republic has an incontestable title to the domain and to the possession of the said territory, the First Consul of the French Republic, desiring to give to the United States a strong proof of friendship, doth hereby cede to the said United States, in the name of the French Republic, for ever and in full sovereignty, the said territory, with all its rights and appurtenances, as fully and in the same manner as they might have been acquired by the French Republic, in value of the above-mentioned treaty, concluded with His Catholic Majesty.

ART. 2. In the cession made by the preceding article, are included the adjacent islands belonging to Louisiana, all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices, which are not private property. The archives, papers, and documents, relative to the domain and sovereignty of Louisiana and its dependencies, will be left in the possession of the Commissioners of the United States, and copies will be afterwards given in due form to the magistrates and municipal officers, of such of the said papers and documents as may be necessary to them.

ART. 3. The inhabitants of the ceded territory shall be

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incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities, of citizens of the United States; and, in the mean time, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

ART. 4. There shall be sent by the Government of France a Commissary to Louisiana, to the end that he do every act necessary, as well to receive from the officers of His Catholic Majesty the said country and its dependencies in the name of the French Republic, if it has not been already done, as to transmit it, in the name of the French Republic, to the Commissary or agent of the United States.

ART. 5. Immediately after the ratification of the present treaty by the President of the United States, and in case that of the First Consul shall have been previously obtained, the Commissary of the French Republic shall remit all the military posts of New Orleans, and other parts of the ceded territory, to the Commissary or Commissaries named by the President to take possession; the troops, whether of France or Spain, who may be there, shall cease to occupy any military post from the time of taking possession, and shall be embarked as soon as possible in the course of three months after the ratification of this treaty.

ART. 6. The United States promise to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians, until, by mutual consent of the United States and the said tribes or nations, other suitable articles shall have been agreed upon.

ART. 7. As it is reciprocally advantageous to the commerce of France and the United States, to encourage the communication of both nations, for a limited time, in the country ceded by the present treaty, until general arrangements relative to the commerce of both nations may be agreed

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on, it has been agreed between the contracting parties, that the French ships coming directly from France or any of her Colonies, loaded only with the produce or manufactures of France or her said Colonies, and the ships of Spain coming directly from Spain or any of her Colonies, loaded only with the produce or manufactures of Spain or her Colonies, shall be admitted during the space of twelve years in the port of New Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain, or any of their Colonies, without being subject to any other or greater duty on the merchandise, or other or greater tonnage than those paid by the citizens of the United States.

During the space of time above-mentioned, no other nation shall have a right to the same privileges in the ports of the ceded territory. The twelve years shall commence three months after the exchange of ratifications, if it shall take place in France, or three months after it shall have been notified at Paris to the French Government, if it shall take place in the United States; it is, however, well understood, that the object of the above article is to favor the manufactures, commerce, freight, and navigation of France and Spain, so far as relates to the importations that the French and Spanish shall make into the said ports of the United States, without in any sort affecting the regulations that the United States may make concerning the exportation of the produce and merchandise of the United States, or any right they may have to make such regulations.

ART. 8. In future and forever, after the expiration of the twelve years, the ships of France shall be treated upon the footing of the most favored nations in the ports above-mentioned.

ART. 9. The particular convention signed this day by the respective Ministers, having for its object to provide the payment of debts due to the citizens of the United States by

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the French Republic, prior to the 30th of September, 1800, (8th Vendémiaire, an 9,) is approved, and to have its execution in the same manner as if it had been inserted in the present treaty; and it shall be ratified in the same form and in the same time, so that the one shall not be ratified distinct from the other. Another particular convention, signed at the same date as the present treaty, relative to a definitive rule between the contracting parties is, in the like manner, approved, and will be ratified in the same form and in the same time, and jointly.

ART. 10. The present treaty shall be ratified in good and due form, and the ratification shall be exchanged in the space of six months after the date of the signature by the Ministers Plenipotentiary, or sooner if possible.

In faith whereof, the respective Plenipotentiaries have signed these articles in the French and English languages, declaring, nevertheless, that the present treaty was originally agreed to in the French language, and have thereunto put their seals.

Done at Paris, the 10th day of Floréal, in the 11th year of the French Republic, and the 30th April, 1803.

R. R. LIVINGSTON,
JAMES MONROE,
BARBÉ MARBOIS.

A Convention between the United States of America and the French Republic

The President of the United States of America, and the First Consul of the French Republic, in the name of the French people, in consequence of the Treaty of Cession of Louisiana, which has been signed this day, wishing to regulate definitively everything which has relation to the said cession, have authorized, to this effect, the Plenipotenti-

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aries, that is to say: the President of the United States has, by and with the advice and consent of the Senate of the said States, nominated for their Plenipotentiaries, Robert R. Livingston, Minister Plenipotentiary of the United States, and James Monroe, Minister Plenipotentiary and Envoy Extraordinary of the said United States, near the Government of the French Republic; and the First Consul of the French Republic, in the name of the French people, has named, as Plenipotentiary of the said Republic, the French citizen Barbé Marbois, who, in virtue of their full powers, which have been exchanged this day, have agreed to the following articles:

ART. 1. The Government of the United States engages to pay to the French Government, in the manner specified in the following articles, the sum of sixty millions of francs, independent of the sum which shall be fixed by any other convention for the payment of the debts due by France to citizens of the United States.

ART. 2. For the payment of the sum of sixty millions of francs, mentioned in the preceding article, the United States shall create a stock of eleven million two hundred and fifty thousand dollars, bearing an interest of six per cent. per annum, payable half-yearly, in London, Amsterdam, or Paris, amounting, by the half-year to three hundred and thirty-seven thousand five hundred dollars, according to the proportions which shall be determined by the French Government, to be paid at either place: the principal of the said stock to be reimbursed at the Treasury of the United States, in annual payments of not less than three millions of dollars each; of which the first payment shall commence fifteen years after the date of the exchange of ratifications: this stock shall be transferred to the Government of France, or to such person or persons as shall be authorized to receive it, in three months, at most, after the exchange of the ratifications of this treaty, and after Louisiana shall be taken pos-

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session of in the name of the Government of the United States.

It is further agreed that, if the French Government should be desirous of disposing of the said stock, to receive the capital in Europe at shorter terms, that its measures, for that purpose, shall be taken so as to favor, in the greatest degree possible, the credit of the United States, and to raise to the highest price the said stock.

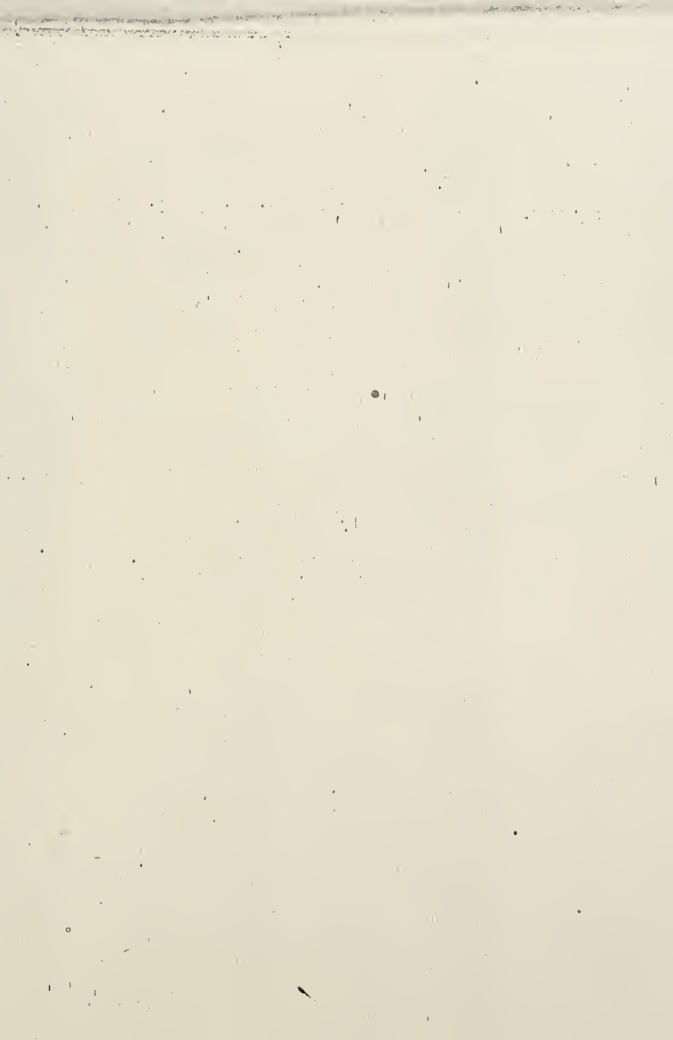
ART. 3. It is agreed that the dollar of the United States, specified in the present convention, shall be fixed at five francs 8333-10000ths or five livres eight sous tournoise.

The present convention shall be ratified in good and true form, and the ratifications shall be exchanged in the space of six months, to date from this day, or sooner if possible.

In faith of which, the respective Plenipotentiaries have signed the above articles, both in the French and English languages, declaring, nevertheless, that the present treaty has been originally agreed on and written in the French language, to which they have hereunto affixed their seals.

Done at Paris, the tenth day of Floréal, eleventh year of the French Republic, (30th April, 1803.)

ROBERT R. LIVINGSTON,
JAMES MONROE,
BARBÉ MARBOIS.



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